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LEGISLATIVE HISTORY

Public Law 290--80th Congress

Chapter 405--1st Session

S. 338

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DIGEST OF PUBLIC LAW 290

PLANT QUARANTINE. Amends the Plant Quarantine Act of 1912 by adding a new proviso to Section 1 which authorizes the Secretary to limit the entry of nursery stock from foreign countries, and, when necessary, require that it be grown under post-entry quarantine to determine whether it is infested or infected with plant pests not discernable at port of entry inspection, and if found to be infested or infected to prescribe remedial measures deemed necessary to prevent the spread of plant pests.

INDEX AND SUMMARY OF HISTORY OF S. 338

January 24, 1947	S. 338 was introduced by Senator Capper and was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as introduced.
March 25, 1947	H. R. 2773 was introduced by Rep. Ellsworth and was referred to the House Committee on Agriculture. Print of the bill as introduced.
April 3, 1947	H. R. 2950 was introduced by Rep. Hope and was referred to the House Committee on Agriculture. Print of the bill as introduced.
April 16, 1947	S. 338 was reported by the Senate Committee with amendments. Senate Report 102. Print of the bill as reported.
April 21, 1947	S. 338 was discussed by the Senate and passed as reported.
April 22, 1947	S. 338 was referred to the House Committee on Agriculture. Print of the bill as referred.
June 5, 1947	Hearings: House, S. 338, H. R. 2773, and H. R. 2950. Resume of hearings.
July 3, 1947	House Committee ordered reported S. 338.
July 15, 1947	House Committee reported S. 338 with amendments. House Report 921. Print of the bill as reported.
July 21, 1947	S. 338 was discussed in the House and passed as reported.
July 23, 1947	Senate concurred in the House amendments. (According to information from the Clerk of the Senate Agriculture Committee who said the Congressional Record carries no reference to this action but that it is in the Senate Journal.
July 31, 1947	Approved. Public Law 290.

80TH CONGRESS
1ST SESSION

S. 338

IN THE SENATE OF THE UNITED STATES

JANUARY 24 (legislative day, JANUARY 15), 1947

Mr. CAPPER (for himself and Mr. THOMAS of Oklahoma) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Plant Quarantine Act approved August 20, 1912,
4 as amended, be amended by adding thereto a new section, as
5 follows:

6 “SEC. . In order to protect American agriculture, hor-
7 ticulture, and forestry from injurious insect pests and plant
8 diseases new to or not widely prevalent or distributed within
9 and throughout the United States the Secretary of Agriculture
10 is authorized to limit entry of nursery stock from foreign

1 countries to that needed for propagation purposes, under
2 such rules and regulations as he may deem necessary, includ-
3 ing the requirement, if necessary, that such nursery stock be
4 grown under postentry quarantine by or under the super-
5 vision of the United States Department of Agriculture for the
6 purpose of determining whether imported nursery stock may
7 be infested or infected with plant pests not discernible by port-
8 of-entry inspection and provided that if imported nursery
9 stock is found to be infested or infected with such plant pests,
10 he is authorized to prescribe remedial measures as he may
11 deem necessary to prevent the spread thereof.”

A BILL

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

By Mr. Capper and Mr. Thomas of Oklahoma

JANUARY 24 (legislative day, JANUARY 15), 1947

Read twice and referred to the Committee on
Agriculture and Forestry

80TH CONGRESS
1ST SESSION

H. R. 2773

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1947

Mr. ELLSWORTH introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 That the Plant Quarantine Act approved August 20, 1912,

4 as amended, be amended by adding thereto a new section,

5 as follows:

6 “SEC. . In order to protect American agriculture,

7 horticulture, and forestry from injurious insect pests and

8 plant diseases new to or not widely prevalent or distributed

9 within and throughout the United States, the Secretary of

10 Agriculture is authorized to limit entry of nursery stock,

1 including bulbs from foreign countries, to that needed for
2 propagation purposes, under such rules and regulations as he
3 may deem necessary, including the requirement, if necessary,
4 that such nursery stock, including bulbs, be grown under
5 postentry quarantine by or under the supervision of the
6 United States Department of Agriculture for the purpose of
7 determining whether imported nursery stock, including bulbs,
8 may be infested or infected with plant pests not discernible
9 by port-of-entry inspection: *Provided*, That if imported
10 nursery stock, including bulbs, is found to be infested or in-
11 fected with such plant pests, he is authorized to prescribe
12 remedial measures as he may deem necessary to prevent the
13 spread thereof."

80TH CONGRESS
1ST Session

H. R. 2773

A BILL

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

By Mr. ELLSWORTH

MARCH 25, 1947

Referred to the Committee on Agriculture

80TH CONGRESS
1ST SESSION

H. R. 2950

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 1947

Mr. HOPE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Plant Quarantine Act approved August 20, 1912,
as amended, by adding thereto a new section.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Plant Quarantine Act approved August 20, 1912,
4 as amended, be amended by adding thereto a new section as
5 follows:

6 “SEC. . In order to protect American agriculture,
7 horticulture, and forestry from injurious insect pests and
8 plant diseases new to or not widely prevalent or distributed
9 within and throughout the United States, the Secretary of
10 Agriculture is authorized to limit entry of nursery stock from
11 foreign countries to that needed for propagation purposes,

1 under such rules and regulations as he may deem necessary,
2 including the requirement, if necessary, that such nursery
3 stock be grown under postentry quarantine by or under the
4 supervision of the United States Department of Agriculture
5 for the purpose of determining whether imported nursery
6 stock may be infested or infected with plant pests not dis-
7 cernible by port-of-entry inspection: *Provided*, That if im-
8 ported nursery stock is found to be infested or infected with
9 such plant pests, he is authorized to prescribe remedial
10 measures as he may deem necessary to prevent the spread
11 thereof.”

80TH CONGRESS
1ST SESSION

H. R. 2950

A BILL

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

By Mr. HOPE

APRIL 3, 1947

Referred to the Committee on Agriculture

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued April 17, 1947
For actions of April 16, 1947
80th-1st, No. 71

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HIGHLIGHTS: Senate committee reported bills to authorize FFMC to purchase GI loans and to authorize limitation on nursery-stock importations and requirement that such stock be grown in quarantine. Sen. Aiken inserted protests against milk-price reduction. House received GAO report on FSCC audit. House received revised estimate regarding FFMC administrative expense.

SENATE

- FARM CREDIT.** The Agriculture and Forestry Committee reported without amendment S. 245, to provide a secondary market for farm loans made under the Servicemen's readjustment Act of 1944 by authorizing the Federal Farm Mortgage Corporation to purchase such loans (S. Rept. 101)(p. 3642).
- PLANT QUARANTINE.** The Agriculture and Forestry Committee reported with amendments S. 338, to authorize the Department to limit importation of nursery stock to that needed for propagation purposes and to require that such stock be grown in post-entry quarantine to determine whether it is infested or infected (S. Rept. 102) (p. 3642).
- FOREIGN RELIEF.** Continued debate on S. 938, the Greek-Turkish aid bill (pp. 3646-91). Agreed to vote on the bill Apr. 22.
- VIRGIN ISLANDS.** Received from the Interior Department proposed legislation to incorporate the Virgin Islands Corporation; to Public Lands Committee (p. 3639).
- MILK PRICES.** Sen. Aiken, Vt., inserted a Vt. Legislature Memorial, and a letter to Secretary Anderson from New England milk-producers associations, protesting the Secretary's action "in reducing the price of milk at this time" (pp.3640-1).
- BUDGET.** Sen. Tydings (for himself and Sen. Bridges, N. H.) submitted an amendment which he intends to propose to S. J. Res. 61, providing for a balanced budget; to Appropriations Committee (p. 3646).

HOUSE

- LABOR.** Continued debate on H. R. 3020, the labor-management bill (pp.3572-634).

8. FSCC AUDIT. Received from GAO an audit report on FSCC for the period July 1, 1945, to Mar. 14, 1947 (H. Doc. 205); to Expenditures in the Executive Departments Committee (p. 3637).
9. FARM CREDIT. Received from the President a revised estimate pertaining to the administrative-expense authorization of the Federal Farm Mortgage Corporation (H. Doc. 203)(p. 3637); to Appropriations Committee.

BILLS INTRODUCED

10. FLOOD CONTROL. S. 1117, by Sen. Taft, Ohio, to amend the act of June 22, 1936, so as to permit the construction of public works on the Great Lakes for purposes of flood control. To Public Works Committee. (p. 3642.)
11. ATOMIC ENERGY. S. 1118, by Sen. McKellar, Tenn., to repeal the Atomic Energy Act of 1946 and to provide for the exercise by the War Department of all powers and functions relating to atomic energy. To Joint Committee on Atomic Energy. (p. 3642.) Remarks of author (pp. 3642-6).
12. EDUCATION. H.R. 3076, by Rep. Morton, Ky., to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools. To Education and Labor Committee. (p. 3637.) Remarks of author (p. A1837).
13. PERSONNEL. H.R. 3078, by Rep. Peterson, Fla., to permit certain employment by the U.S. to be included as employment under the Social Security Act. To Ways and Means Committee. (p. 3637.)
14. LAND TRANSFER. H.R. 3057 and S. 1112 (see Digest 70) provide for the transfer to Wasatch National Forest of a part of War Department lands at Fort Douglas, Utah, and for conveyance by quitclaim deed of other parts of such lands to Utah; authorize USDA to convey all rights and interests in the use of water and the Red Butte Reservoir and associate water system to Salt Lake City (Utah), reserving rights for use of water by U.S. as required for irrigation of the national cemetery; and provide for reversion of lands to the U.S. in case of war or national emergency or in case the land ceases to be used for public purposes.

ITEMS IN APPENDIX

15. WOOL SUPPORTS. Rep. Lane, Mass., inserted a Boston (Mass.) Herald editorial, "Oversupporting Wool" (p. A1822).
16. AGRICULTURAL CONSERVATION PROGRAM. Rep. Clason, Mass., inserted Sumner R. Parker's (Mass. P&MA Director) article on accomplishments of this program in Mass. (pp. A1816-7).
Rep. Trimble, Ark., inserted a report of the agricultural conservation work in Searcy County and Washington County, Ark. (pp. A1820-2, A1834-6).
17. RURAL ELECTRIFICATION. Extension of remarks of Rep. Trimble, Ark., commending the work of REA in providing electrification to farm areas (p. A1829).
Rep. Bradley, Mich., inserted a Sault Ste. Marie Evening News editorial opposing the proposed Soo Power Plant (p. A1830).
18. PRICES. Rep. Price, Ill., inserted a Belleville (Ill.) News-Democrat news item, "One Bakery Raises Price" (p. A1829).

AMENDING THE PLANT QUARANTINE ACT, APPROVED AUGUST 20, 1912, AS AMENDED, BY ADDING THERETO A NEW SECTION

APRIL 16 (legislative day, MARCH 24), 1947.—Ordered to be printed

Mr. CAPPER, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 338]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 338) to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section, having considered same, report thereon with a recommendation that it do pass with amendments.

The bill is amended to include bulbs.

A letter from Secretary Clinton P. Anderson of the Department of Agriculture, dated February 7, 1947, with respect to S. 338 is attached hereto and made a part of said report.

FEBRUARY 7, 1947.

HON. ARTHUR CAPPER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR CAPPER: This is in reply to your request of January 25 for a report on S. 338, a bill to amend the Plant Quarantine Act approved August 20, 1912, as amended by adding thereto a new section.

The Senate bill S. 338 has been compared with S. 1990 which was introduced in the last session of the Seventy-ninth Congress and has been found to be identical. This report, with the exception of this added paragraph, is the same as that submitted by the Department of Agriculture under date of August 30, 1946 on S. 1990.

This bill would authorize the Secretary of Agriculture to limit the entry of nursery stock from foreign countries to that needed for propagation purposes in order to protect American agricultural, horticultural, and forestry interests from insect pests and plant diseases new to or not widely distributed within the United States under such rules and regulations as he may deem necessary. Furthermore, it authorizes the Secretary of Agriculture to require, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port

of entry inspection and authorizes the prescription of remedial measures as may be deemed necessary in the case of nursery stock found infested or infected with injurious insect pests and plant diseases.

With certain reservations the Department is in sympathy with the purpose of this bill. One reservation is the phrase on line 1, page 2, "to that needed for propagation purposes,". It is our belief that this phrase should be stricken from the bill. The proposed legislation goes on to say that the Secretary of Agriculture may, if necessary, require that imported nursery stock be grown under postentry quarantine by or under the supervision of the Department. If the Department should act under this portion of the proposed authorization it is not clear why there should be a restriction that the nursery stock so held should be restricted to purposes of propagation. From the standpoint of the Department of Agriculture it would appear that after the postentry quarantine requirements that might be imposed by the Secretary of Agriculture had been met, the Department should not be concerned with the subsequent use made of the plants in question.

Another reservation is that as phrased the proposed legislation leaves in doubt whether those who might be interested in the actions which might be taken under this authorization would be given a chance to be heard. In order to definitely establish this point the Department proposes an amendment to be added at the end of the present language by substituting for the final period on line 11 of page 2 a colon and "*Provided*, That before the Secretary of Agriculture shall promulgate any rule or regulation hereunder limiting the entry of nursery stock from foreign countries or prescribing the growth of such nursery stock under postentry quarantine he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney."

There is no way with the information now available by which the Department can attest to the freedom from virus diseases of any imported nursery stock. In the light of present information the Department would take such steps as might be needed for the purpose of applying the provision included in the proposed amendment to many kinds of imported nursery stock. Such nursery stock would be held under observation for such period or periods of time as might be needed to determine whether it is infested or infected with plant pests not discernible by inspection at the port of entry.

We believe the supplemental authority contained in this bill would give added protection to the agricultural, horticultural, and forestry interests of this country by authorizing the limiting of quantities of imported nursery stock. We believe also that protection provided by the Plant Quarantine Act of 1912 would be strengthened by this bill which would authorize postentry inspections and the application of remedial measures should plant pests be found which were not discernible by inspection at the port of entry. Additional reasons for this belief are set forth in the accompanying memorandum which contains comments regarding the enforcement of the existing law.

If enacted in its present form this bill would require not more than a nominal increase in appropriations to this Department. Discussions with State plant quarantine officials regarding this problem indicate that the States would cooperate in the making of field inspections of imported nursery stock.

With the amendment referred to above, this Department recommends passage of this bill.

The Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely yours,

CLINTON P. ANDERSON, *Secretary*.

(Enclosures.)

DISCUSSION OF S. 338, AN AMENDMENT TO THE PLANT QUARANTINE ACT OF 1912

The Plant Quarantine Act of 1912 as amended provides that it shall be unlawful for any person to import nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture. It also provides that importations of nursery stock shall be accompanied by evidence of inspection by the proper official of the country of export and in the case of countries not having official systems of inspection the nursery stock shall be admitted under conditions and regulations prescribed by the Secretary of Agriculture. Provision is also made whereby, if the Secretary of Agriculture determines that it is necessary to forbid the importation into the United States of any class of nursery stock from a country

or locality where an injurious insect or plant disease new to or not widely distributed within this country occurs he shall, after a public hearing, promulgate his determination, specifying the country and locality and the class of nursery stock which, in his opinion, should be excluded.

It is the belief of this Department that under the act of 1912 the Secretary of Agriculture does not have the authority to limit the quantities of nursery stock that may be offered for entry or to require precautions or safeguards after its entry. The Secretary has authority under existing law to promulgate quarantines prohibiting the entry of nursery stock from specified countries and localities where there is a particular pest risk (sec. 7). If the nursery stock is from countries not maintaining official systems of inspection the Secretary of Agriculture has authority to prescribe conditions and regulations under which it may be admitted. If the nursery stock is from countries having official systems of inspection and if the conditions and regulations have been complied with, the Secretary of Agriculture is required to issue the permit for any particular importation of nursery stock. The proposed amendment authorizes him to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary for the purpose of reducing the danger of the importation of serious insect pests and plant diseases.

Some 27 years ago the Department promulgated quarantine No. 37, the nursery stock, plant, and seed quarantine, which brought together the restrictions governing the entry of nursery stock from abroad. In regulations adopted under this quarantine the Department, in the belief that it had the legal right, sought to limit the quantities of imported nursery stock, to maintain certain postentry supervision over it, and to exercise a degree of control over its use by issuing permits for its entry for propagation only and by other restrictions. Through the years, for a variety of reasons, these regulations were modified because of difficulty in enforcement and finally were revoked because the legality of this procedure was questioned by the legal staff of the Department. The restriction as to quantity limits was taken off during the war when there was comparatively little movement of nursery stock and none from some of the more important nursery stock exporting countries. The fiscal year 1946 was the first one, therefore, in many years in which there were no restrictions exercised by the Department with respect to the quantities of nursery stock that might be imported when transportation was available for reasonably free movement.

It is interesting to compare the imports of the first postwar year with representative years prior to the war. Comparison of quantities of woody plants for the fiscal year 1946 and the 5-year average 1933-37 shows 477,737 woody plants imported in 1946 and an average of 161,561 in 1933-37. This represents a range from 53,515 in 1933 to 371,598 in 1936. Of these totals rose bushes represent one of the largest components. 1946 imports of roses were 218,802 and the average for the 5-year period 1933-37 was 11,039. The range for roses in this period was from 2,821 in 1934 to 30,014 in 1935.

The Department believes there is some unavoidable pest risk associated with the importation of nursery stock. Assuming that this unavoidable pest risk may have been reduced as far as is practicable it is the belief of the Department of Agriculture that increasing the volume of nursery stock imports adds to the risk. The Department believes that limiting such imports to permit examination of them at appropriate intervals in postentry quarantine would preserve a reasonable balance between our desire to trade with other countries and to protect our agricultural, horticultural, and forestry interests from destructive insects and plant diseases.

There are many kinds of nursery stock that are usually given some form of treatment to supplement inspection or to destroy organisms detected by inspection which it is known may be controlled by such means. The volume of nursery stock offered for entry in the current season at times exceeded the capacity of the Department to provide treatment without serious delay. In addition there exists a wide variety of plant diseases which are not detectable by inspection and for which there is no known method of providing treatment. In order to deal with pests of this character which are not detectable by inspection and for which there is no known method of treatment it is the belief of the Department that to exercise control over the volume of importation of nursery stock and to require postentry inspection and such remedial measures as he may deem necessary following such inspection as a safeguard against conditions which cannot be recognized by inspection of the dormant plants at time and place of entry would provide an added degree of protection. It is believed the proposed legislation provides an important safeguard in this respect.

Informal discussions between the officials of the Bureau of Entomology and Plant Quarantine of this Department and representatives of the State plant quarantine officials have led to the assurance that the various States could be expected to cooperate in the making of necessary postentry inspections of imported nursery stock. This would provide an important means of supplementing this Department's staff for making necessary field inspections and thus require not more than a nominal increase in Federal appropriations for this work. We believe this informal arrangement would be formally accepted by the appropriate officials of the States if this legislation becomes law thereby authorizing the Department to require detention of the plants, following their entry, for the requisite period of time.

AMENDMENT TO S. 338, A BILL TO AMEND THE PLANT QUARANTINE ACT APPROVED
AUGUST 20, 1912, AS AMENDED, BY ADDING THERETO A NEW SECTION

Following the word "countries" in line 1, page 2, strike out the phrase "to that needed for propagation purposes," and in line 11, page 2, strike out the period and add ": *Provided*, That before the Secretary of Agriculture shall promulgate any rule or regulation hereunder limiting the entry of nursery stock from foreign countries or prescribing the growth of such nursery stock under postentry quarantine, he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney."

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30TH CONGRESS
1ST SESSION

S. 338

[Report No. 102]

IN THE SENATE OF THE UNITED STATES

JANUARY 24 (legislative day, JANUARY 15), 1947

Mr. CAPPER (for himself and Mr. THOMAS of Oklahoma) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

APRIL 16 (legislative day, MARCH 24), 1947

Reported by Mr. CAPPER, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend the Plant Quarantine Act approved August 20, 1912,
as amended, by adding thereto a new section.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Plant Quarantine Act approved August 20, 1912,
4 as amended, be amended by adding thereto a new section, as
5 follows:

6 “SEC. . In order to protect American agriculture, hor-
7 ticulture, and forestry from injurious insect pests and plant
8 diseases new to or not widely prevalent or distributed within
9 and throughout the United States the Secretary of Agriculture
10 is authorized to limit entry of nursery stock *and bulbs* from

1 foreign countries to that needed for propagation purposes,
2 under such rules and regulations as he may deem necessary,
3 including the requirement, if necessary, that such nursery
4 stock *and bulbs* be grown under postentry quarantine by or
5 under the supervision of the United States Department of
6 Agriculture for the purpose of determining whether im-
7 ported nursery stock *or bulbs* may be infested or infected
8 with plant pests not discernible by port-of-entry inspection
9 and provided that if imported nursery stock ~~is~~ *or bulbs are*
10 found to be infested or infected with such plant pests, he is
11 authorized to prescribe remedial measures as he may deem
12 necessary to prevent the spread thereof.”

80TH CONGRESS
1ST Session

S. 338

[Report No. 102]

A BILL

To amend the Plant Quarantine Act approved
August 20, 1912, as amended, by adding
thereto a new section.

By Mr. CARPER and Mr. THOMAS of Oklahoma

JANUARY 24 (legislative day, JANUARY 15), 1947

Read twice and referred to the Committee on
Agriculture and Forestry

APRIL 16 (legislative day, MARCH 24), 1947

Reported with amendments

Feed Market Review (bagged, per ton, in carlots, sight-draft basis) at Boston, Mass.

	1947		
	January	February	March 25
Wheat bran.....	\$45.70	\$48.50	\$73.50
Wheat middlings.....	46.70	51.60	75.50
Linseed meal.....	90.45	87.45	95.00
Soybean meal.....	79.00	70.75	91.00
White hominy.....	54.40	56.25	76.50
Cottonseed meal.....	83.55	73.50	90.00

Farm wage rates have continued their steady advance. On January 1 in Vermont the reported rates of farm wages per month with board were 19 percent higher than a year ago. Prices of all farm machinery and supplies have increased substantially and are due to remain at much higher levels than in former years.

The national index of prices paid by farmers used in computing the parity prices for Boston milk has advanced every month except one since July 1945. Figures for the last 6 months are: October 218; November 224; December 225; January 227; February 234; and March 243. This is an increase of 7 points in February and 9 points more in March. This steady upward trend causes a similar upward trend in milk parity prices. In view of the continued increase in cost of things that farmers buy, and the additional fact that last year's milk prices failed to encourage production of an adequate supply of milk for Boston, it is a poor time at present to further lower the class I price.

In our petition of March 12, we attempted to make a rough estimate of the seasonal level of blended prices that would result in the event that the class I price were held to the end of June at the present level of \$4.77 per hundredweight. Based on a class I price of \$4.77 in June, a class II price of \$3, and a class I use of 45 percent, the blended price in June would run around \$3.77 per hundredweight. This compares with a blended price of \$3.62 plus 55 cents subsidy, or a total return of \$4.17 for June last year. This means that even if the present class I price were held to the end of June, returns to producers in June will be lower than a year ago by 40 cents per hundredweight in the face of higher costs of feed, of farm labor, and farm machinery and supplies. A June blended price of \$3.77 is to be compared with a price of \$5.53 which prevailed last November. The reduction is \$1.76 and the November price is 47 percent higher than June. The differential is ample to encourage production of relatively more fall milk. We believe that any greater reduction in returns to producers for May and June in the face of continued high levels of production costs would lead to the liquidation of dairy herds and discourage production for the next short season.

On the demand side, consumer income and industrial earnings have remained at a high level in New England, and demand for fluid milk is still close to the all-time high record of last June. The number of wage earners employed in manufacturing establishments in Massachusetts in February 1947 was 16 percent larger than a year ago, average weekly earnings were up 13 percent, and total pay rolls up 32 percent. The number of wage earners in representative establishments in Massachusetts for all classes of employment combined in February 1947 was 12 percent higher than a year ago, and total wages paid showed an increase of 27 percent. These figures are based on statistics compiled and issued by the division of statistics, Massachusetts Department of Labor and Industries.

For the above reasons, we believe that there is no basis either in production or demand conditions to warrant a further reduction in the class I price in the Boston market for May and June 1947.

This petition is submitted jointly by the following producers' cooperative associations.

Very truly yours,

Belows Falls Cooperative Creamery, Inc.; Bethel Cooperative Creamery, Inc.; Cabot Farmers' Cooperative Creamery Co., Inc.; Connecticut Valley Dairy, Inc.; Grand Isle County Cooperative Creamery Association, Inc.; Granite City Cooperative Creamery Association, Inc.; Maine Dairymen's Association; Manchester Dairy System, Inc.; New England Dairies, Inc.; New England Milk Producers' Association; Northern Farms Cooperative, Inc.; St. Albans Cooperative Creamery, Inc.; Shelburne Cooperative Creamery Co.; United Farmers' Cooperative Creamery Association, Inc.; Chester W. Smith, C. W. Swonger, George H. Thompson, chairman, for the committee.

CONCURRENT RESOLUTIONS OF IOWA LEGISLATURE

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD House Concurrent Resolution 14 of the Iowa Legislature, favoring the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce.

There being no objection, the concurrent resolution was received, referred to the Committee on Interstate and Foreign Commerce, and, under the rule, ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 14

Whereas the use of alcoholic beverages is rapidly increasing in Iowa; and

Whereas the habit-forming practice of the use of alcoholic beverages in many cases results in lowered physical and mental efficiency, broken homes, juvenile delinquency, increased crime, and general disregard for law and order, all detrimental to the general public welfare; and

Whereas the General Assembly of Iowa does recognize the inherent right and duty of government to protect and safeguard the general public welfare of its people by all proper means; and

Whereas the above habit-forming practice is constantly being stimulated and encouraged by the use of advertising and propaganda, much of which comes from out of the State and which has for its purpose financial profit rather than the general public interest and welfare; and

Whereas there has been introduced in Congress a bill by Senator ARTHUR CAPPER known as S. 265, to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, which bill is now in the hands of the Senate Committee on Interstate and Foreign Commerce, of which Senator WALLACE H. WHITE, Jr., of Maine, is the chairman: Now, therefore, be it

Resolved by the house (the senate concurring), That the General Assembly of Iowa hereby urges its Senators and Representatives in Congress to use their influence and support in behalf of S. 265 to the end that the general welfare of the people, and especially the youth of Iowa and of the United States, be safeguarded and protected.

Furthermore, that a copy of said resolution be sent to the United States Senators from Iowa and the United States Representatives from Iowa, to the Honorable WALLACE H. WHITE, JR., Senator from Maine, and to the Honorable ARTHUR CAPPER, Senator from Kansas.

Mr. HICKENLOOPER. Mr. President, I also ask unanimous consent to present for appropriate reference and printing in the RECORD Senate Concurrent Resolution 23 adopted by the Legislature of the State of Iowa, relating to the recognition of the Marine Corps.

There being no objection, the concurrent resolution was received, referred to the Committee on Armed Services, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 23

Whereas there is now pending before Congress a plan calling for the unification of the armed forces of the United States; and

Whereas the said plan in one form does not make adequate specific provision for the recognition of the United States Marine Corps as a distinct unit of the armed forces of the United States; and

Whereas the Marine Corps has established itself over a period of more than a century as one of the greatest fighting organizations in the world and should be continued in its traditional status; and

Whereas the security of the United States requires the continuation of a unit versed through experience and training in the art of amphibious warfare; and

Whereas the United States Marine Corps has, since its organization in 1775, distinguished itself as the greatest and best versed amphibious force in the world: Therefore be it

Resolved by the Senate of the State of Iowa (the House of Representatives concurring):

1. That the Congress of the United States be memorialized and urged to take immediate favorable action toward specifically establishing the United States Marine Corps and making adequate provision for its continuation in any plan for unification of the armed forces of the United States.

2. That a copy of this resolution be forwarded to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the House of Representatives, and to each Iowa Senator and Member of the House of Representatives in the Congress of the United States.

Mr. HICKENLOOPER. Mr. President, I also ask unanimous consent to present for appropriate reference and printing in the RECORD, Senate Concurrent Resolution 22 of the Legislature of the State of Iowa, dealing with tax regulations in connection with community property and other matters.

There being no objection, the concurrent resolution was received, referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 22

Whereas the Internal Revenue Code of the United States, as construed and administered by the Internal Revenue Bureau, permits married residents of eight States to split their income for income-tax purposes because of the existence of the community property concept in such States; and

Whereas married residents in all other States are not so permitted to split their income; and

Whereas the use of this legal fiction or rule of law, known as the community-property law, results in discrimination against the married residents of Iowa and all other similar non-community-property States, and requires such residents to bear an unjust proportion of the Federal tax burden; and

Whereas in connection with the adoption of the Revenue Act of 1947, the Congress of the United States is now considering vari-

ous proposals to eliminate this unjust and unfair discrimination; and

Whereas it is the consensus of opinion of this general assembly and of the people of Iowa that the Internal Revenue Code of the United States should be amended so as to permit a husband and wife residing in non-community-property States, including Iowa, to split their income for income-tax purposes upon the same basis as is employed in community-property States, irrespective of the sources of the income: Now, therefore, be it

Resolved by the senate (the house concurring): That the Fifty-second General Assembly of the State of Iowa respectfully represents to the Congress of the United States that it is the opinion of the people of Iowa, as well as the opinion of this assembly, that the Internal Revenue Code of the United States should be revised and amended so as to permit a husband and wife, residents of Iowa or of any of the other noncommunity-property States, to split their income, and thereby eliminate the unfair and unjust discrimination now existing in favor of the married residents of States having the community-property concept;

That our Senators and Representatives in Congress are requested to exert their efforts to secure such a revision of the Internal Revenue Code;

That the Congress of the United States is respectfully requested to so revise the Internal Revenue Code of the United States;

That copies of this concurrent resolution be forwarded by the secretary of state to the President of the United States, to the President pro tempore of the United States Senate, to the Speaker of the House of Representatives of Congress, and to the Iowa Members of the United States Senate and the Iowa Members of the House of Representatives of Congress.

TRANSPORTATION OF ALCOHOLIC-BEVERAGE ADVERTISING IN INTERSTATE COMMERCE—PETITION

Mr. HAWKES. Mr. President, I have received from Mrs. Walter Hall, 8 Oak Street, Salem, N. J., a letter, dated April 11, 1947, the body of which reads as follows:

We are sending petitions signed by 395 voters who ask your support for Capper bill (S. 265).

Please present these petitions to the Senate and have them inserted in the CONGRESSIONAL RECORD.

I ask unanimous consent to present the petition for appropriate reference and printing in the RECORD without the signatures attached thereto.

There being no objection, the petition was received, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD without the signatures attached thereto, as follows:

To Hon. ALBERT W. HAWKES:

We respectfully request that you use your influence and vote for the passage of S. 265, a bill to prohibit the transportation of alcoholic-beverage advertising in interstate commerce and the broadcasting of alcoholic-beverage advertising over the radio. The most pernicious effect of this advertising is the constant invitation and enticement to drink. The American people spent \$7,770,000,000 for alcoholic beverages in 1946, as compared with \$3,700,000,000 in 1942. During the same period there was a corresponding increase each year in crime. There is every reason why this expenditure should not be increased, but decreased.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. CAPPER, from the Committee on Agriculture and Forestry:

S. 245. A bill to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; without amendment (Rept. No. 101); and

S. 338. A bill to amend the Plant Quarantine Act, approved August 20, 1912, as amended, by adding thereto a new section; with amendments (Rept. No. 102).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CAIN:

S. 1114. A bill to amend section 26, title I, chapter 1, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 8, 1900 (31 Stat. 321), as amended by the act of May 31, 1938 (52 Stat. 588); to the Committee on Public Lands.

By Mr. BUSHFIELD:

S. 1115. A bill authorizing the issuance of a patent in fee to Vincent Bad Wound; to the Committee on Public Lands.

By Mr. GURNEY:

S. 1116. A bill to provide a limitation on the construction of family quarters for the Army and for other purposes; to the Committee on Armed Services.

By Mr. TAFT:

S. 1117. A bill to amend the act of June 22, 1936, so as to permit the construction of public works on the Great Lakes for purposes of flood control, and for other purposes; to the Committee on Public Works.

(Mr. McKELLAR introduced Senate bill 1118, to repeal the Atomic Energy Act of 1946 and to provide for the exercise by the War Department of all powers and functions relating to atomic energy, which was referred to the Joint Committee on Atomic Energy, and appears under a separate heading.)

By Mr. THYE:

S. J. Res. 101. Joint resolution to authorize the Postmaster General to withhold the awarding of star-route contracts for a period of 45 days; to the Committee on Civil Service.

ATOMIC ENERGY

Mr. McKELLAR. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to repeal the Atomic Energy Act of 1946 and to provide for the exercise by the War Department of all powers and functions relating to atomic energy.

I now read into the RECORD today an excerpt from the RECORD as it appeared in the House of Monday last. I want the Senators who are present to hear it.

PERMISSION TO ADDRESS THE HOUSE

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DAVID LILIENTHAL TO HIRE DAUGHTER

Mr. BUSBEY. Mr. Speaker, I wish to call attention to a brief but important fact. Nancy Lilienthal, an active and sympathetic pro-Communist leader of the United States Workers' Local 10, in the Department of

Labor, which local has been actively opposing the President's loyalty program, is about to leave the Department of Labor to work privately on confidential matters with her father, David Lilienthal, the newly appointed head of the Atomic Energy Commission.

In this connection, the following portion of an article which appeared in the February 1947 issue of Plain Talk should be of interest:

"His daughter, Nancy, an employee of the Department of Labor and a member of the United Public Workers, a Communist-dominated union, only recently displayed her strong pro-Soviet attitude. At the beginning of December 1946, at a meeting of her local, a proposal had been made to endorse the resolution of the Atlantic City CIO convention condemning communism. The fight against the endorsement was led, with success, by Nancy Lilienthal. It may be that Nancy's outlook had been conditioned not by her father, but by her mother. For Mrs. Lilienthal is reliably reported to have belonged in the middle thirties to several 'front' organizations."

I sincerely trust for the future security of the United States that President Truman will see that all employees of the Atomic Energy Commission are investigated by a competent board to determine their loyalty.

After all, it is a privilege to be an employee of our Federal Government, and not a right.

Mr. Cox. Mr. Speaker, will the gentleman yield?

Mr. BUSBEY. I will be glad to yield to the distinguished gentleman from Georgia.

Mr. Cox. I would like to make the observation that the appointment of Mr. Lilienthal to the Atomic Energy Commission is one thing that only God himself can explain.

The SPEAKER. The time of the gentleman from Illinois [Mr. BUSBEY] has expired.

In the next place I want to read an article by a distinguished writer in this morning's Washington Times-Herald. I want to read it because it is of such ability and importance.

CAPITOL STUFF

(By John O'Donnell)

Yesterday's issue of the CONGRESSIONAL RECORD (p. 3458) reports a significant and penetrating indication of how the world wags among our lawmakers on Capitol Hill in this atomic age. Representative FRED E. BUSBEY, of Chicago, Republican, and a Regular Army overseas veteran of World War I got the nod from Speaker MARTIN, of Massachusetts, and spoke as follows:

"Mr. BUSBEY. Mr. Speaker, I wish to call attention to a brief but important fact. Nancy Lilienthal, an active and sympathetic pro-Communist leader of the United States Workers' Local 10, in the Department of Labor, which local has been actively opposing the President's loyalty program, is about to leave the Department of Labor to work privately on confidential matters with her father, David Lilienthal, the newly appointed head of the Atomic Energy Commission.

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DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
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HIGHLIGHTS: Senate committee reported deficiency appropriation bill and restored part of tree-insect cut. Senate passed bill to authorize FEMC to purchase GI loans. Senate passed bill to authorize limitation on importation of nursery stock and requirement that such stock be grown in post-entry quarantine; includes bulbs. Senate committee reported bill to make \$10,000,000 additional available for access roads in connection with housing program. Sen. Lucas inserted Secretary Anderson's Jefferson Day speech. House committee reported Interior appropriation bill.

SENATE

1. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 2849, the first deficiency appropriation bill, 1947 (S. Rept. 107)(p. 3822). As it pertains to this Department, the only change in the bill as passed by the House restores \$65,000 of the \$130,000 reduction made by the House in the supplemental request of \$380,000 for control of tree-insect epidemics.

The bill includes the following items:

FCIC capital stock, \$20,000,000.

Tussock moth control, \$395,000.

Transfer of \$410,000 in Forest Service from "acquisition of lands" to "protection and management".

Control of tree-insect epidemics on national forests, \$315,000.

Fighting forest fires, \$3,944,000.

Increased Pay Act costs, various amounts. The bill authorizes the Secretary to transfer from available funds the specific amounts which were proposed in H. Doc. 117.

Provision that available funds may be used for payment of tort claims unless otherwise specifically provided for.

School lunch program, \$6,000,000 additional.

Foreign relief, \$300,000,000 additional (War Department).

Care of public buildings and grounds in D. C., PBA, \$2,700,000 additional.

Judgments and claims, various amounts.

2. FARM CREDIT. Passed without amendment S. 245, to permit the Federal Farm Mortgage Corporation to purchase loans under the Servicemen's Readjustment Act of 1944 (p. 3825).

3. FARM LABOR. Passed without amendment S. 1072, to extend until July 1, 1949, the

period during which income from agricultural labor may be disregarded in making old-age assistance payments (p. 3825).

4. PLANT QUARANTINE. Passed as reported S. 338, to authorize the Secretary of Agriculture to limit the entry of nursery stock from foreign countries to that needed for propagation purposes in order to protect American interests from insects and plant diseases, and authorize the Secretary to require such stock to be grown in post-entry quarantine. Agreed to committee amendments to include bulbs. (p. 3825.)
5. EXPORT-IMPORT BANK. Passed without amendment S. 993, to provide for reincorporation of this Bank (p. 3826).
6. LEGISLATIVE BUDGET. Various Senators discussed the status of this item (pp. 3826-7).
7. BANKING. Passed without amendment H. R. 2413, amending the Federal Reserve Act to permit member banks, until July 1, 1950, to buy or sell Government-guaranteed securities in the open market or from the U. S. in an amount not to exceed \$5 billion at any one time (pp. 3828-9). This bill will now be sent to the President.
8. FORESTRY; HOUSING. The Public Lands Committee reported without amendment S. 800, to amend the Veterans' Housing Act of 1946 to increase the amount available for construction of access roads to standing timber on Federal lands, through the Housing Expediter, from \$15,000,000 to \$25,000,000 (S. Rept. 111) (p. 3822).
9. RECLAMATION. The Public Lands Committee reported without amendment H. R. 804, authorizing reduction of certain interest payable by the farmers' irrigation district, North Platte project (S. Rept. 115) (p. 3822).
10. FOREIGN RELIEF. Continued debate on S. 938, the Greek-Turkish aid bill (pp. 3839-62, 3864-9).
11. RECLAMATION; FLOOD CONTROL. Sen. Morse, Oreg., spoke against cuts in appropriations for irrigation, reclamation, and flood control projects in the Western States (pp. 3863-4).
12. AGRICULTURAL CONSERVATION PROGRAM. Received a Vt. Legislature resolution urging continuation of appropriations for this program (p. 3820).
13. FOOT-AND-MOUTH DISEASE. Received an Oreg. Legislature memorial urging cooperation with Mexico in eradicating and controlling the foot-and-mouth disease (p. 3820).

HOUSE

14. INTERIOR APPROPRIATION BILL, 1948. The Appropriations Committee reported this bill, H. R. 3123, which carries \$156,538,513, which is a reduction of 47% below the budget (H. Rept. 279) (p. 3871).

The committee report includes the following statements:

Construction. "It is not wise management for the Government to plan and go forward with millions of dollars in construction at a time when private business is anxiously seeking in the market place the same commodities for

portation in the case of the alien, Anna M. Kinat (Mrs. John P. Taylor), and she shall not again be subject to deportation by reason of the same facts upon which said warrant and order have issued.

BILL PASSED OVER

The bill (S. 1023) to amend the act of March 14, 1944, to include Coast Guard personnel in the exemption from payment of tolls on the Golden Gate Bridge was announced as next in order.

Mr. KNOWLAND. Over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF NATIONALITY ACT OF 1940

The bill (S. 400) to amend section 327 (h) of the Nationality Act of 1940 was announced as next in order.

Mr. HATCH. Mr. President, may we have an explanation of the bill?

Mr. WILEY. Mr. President, I believe a reading of the bill itself—which is very short—will give the explanation that is necessary. It is as follows:

SEC. 327. (h) The officers in charge of property owned or leased by the Government are authorized, upon the recommendation of the Attorney General, to provide quarters, without payment of rent, in any building occupied by the Service, for a photographic studio, operated by welfare organizations without profit and solely for the benefit of persons seeking to comply with requirements under the immigration and nationality laws. Such studio shall be under the supervision of the Commissioner.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title I, subchapter III, section 327, subsection (h), of the act of October 14, 1940 (54 Stat. 1151; 8 U. S. C. 727 (h)), be and the same is hereby, amended to read as follows:

"SEC. 327. (h) The officers in charge of property owned or leased by the Government are authorized, upon the recommendation of the Attorney General, to provide quarters, without payment of rent, in any building occupied by the Service, for a photographic studio, operated by welfare organizations without profit and solely for the benefit of persons seeking to comply with requirements under the immigration and nationality laws. Such studio shall be under the supervision of the Commissioner."

BILLS PASSED OVER

The bill (H. R. 2404) to suspend certain import taxes on copper was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. MILLIKIN. Mr. President, I give notice that after consideration of bills on the calendar has been concluded I shall move the consideration of House bill 2404.

The bill (S. 273) to limit the time within which the General Accounting Office shall make final settlement of the monthly or quarterly accounts of disbursing officers under the executive branch of the Government, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill? If no Senator is ready at this moment to

make an explanation, I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

INCOME FROM AGRICULTURAL LABOR AND NURSING SERVICES

The bill (S. 1072) to extend until July 1, 1949, the period during which income from agricultural labor and nursing services may be disregarded by the States in making old-age assistance payments without prejudicing their rights to grants in aid under the Social Security Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 5 (f) of the joint resolution entitled "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943," approved April 29, 1943 (57 Stat. 72), as amended (57 Stat. 125; 59 Stat. 80), and section 5 (f) of the Farm Labor Supply Appropriation Act, 1944 (58 Stat. 15), are each amended by striking out "prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President" and inserting in lieu thereof "prior to July 1, 1949."

FARM LOANS UNDER SERVICEMEN'S READJUSTMENT ACT OF 1944

The bill (S. 245) to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes, was announced as next in order.

Mr. SALTONSTALL. Mr. President, I should like to have an explanation of the bill, particularly in view of the letter of the Secretary of Agriculture which appears in the report of the committee which accompanies the bill. In his letter the Secretary refers to a broad general report, and suggests that the bill should be held over until that report has been submitted.

Mr. JOHNSTON of South Carolina. Mr. President, a similar bill was unanimously passed by the Senate last year. The bill simply proposes to do the same thing for the farm boy that is now being done for the city boy. The RFC cares for the second mortgages of the veterans, and this gives the right at the present time to the Federal Farm Mortgage Corporation to take over the second mortgages from the various banks. The Corporation has asked that we pass this bill in order to do for the farm boy the same thing we are doing for the city boy. We have money, and the Corporation can not lend it now because the farmers seem to be paying off instead of borrowing. One billions dollars in the possession of the Corporation are now lying idle. This money can be made use of in that field, and the Corporation wants to go into that field. That is all there is to the bill.

Mr. HATCH. Mr. President, did I correctly understand the Senator from Massachusetts to say that the Secretary of Agriculture had asked that the bill go over?

Mr. SALTONSTALL. I said that the Secretary in his letter said, as shown on page 2 of the report accompanying the bill:

Thus the future status of the Federal Farm Mortgage Corporation will be up for

consideration by Congress after March 1, 1947.

My question was only a technical one. If the report referred to by the Secretary has not been rendered, I wonder if we should pass the bill before we consider the report.

Mr. JOHNSTON of South Carolina. I should like to answer the question by saying that, regardless of the future status of the Corporation, this part of the agricultural program for it will have to be carried on regardless.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 245) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4 (b) of the Federal Farm Mortgage Corporation Act, as amended (U. S. C., title 12, sec. 1620d), is amended by inserting after the first sentence of said section the following new sentence: "The Corporation is further authorized to purchase from approved lenders, for cash, loans made under section 502 of the Servicemen's Readjustment Act of 1944 (Public Law 446, 78th Cong.), as amended, for such prices and upon such terms and conditions as the Board of Directors of the Corporation finds appropriate to effectuate the purposes of the Servicemen's Readjustment Act of 1944."

AMENDMENT OF THE PLANT QUARANTINE ACT

The Senate proceeded to consider the bill (S. 338) to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section, which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 10, after the word "stock", to insert "and bulbs"; on page 2, line 4, after the word "stock", to insert "and bulbs"; in line 7, after the word "stock", to insert "or bulbs", and in line 9, after the word "stock", to strike out "is" and insert "or bulbs are", so as to make the bill read:

Be it enacted, etc., That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by adding thereto a new section, as follows:

"Sec. —. In order to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States the Secretary of Agriculture is authorized to limit entry of nursery stock and bulbs from foreign countries to that needed for propagation purposes, under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock and bulbs be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock or bulbs may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock or bulbs are found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 354) to incorporate the Federal City Charter Commission was announced as next in order.

Mr. McCLELLAN and Mr. JOHNSTON of South Carolina asked that the bill be passed over.

The PRESIDENT pro tempore. On objection, the bill will be passed over.

REINCORPORATION OF EXPORT-IMPORT BANK OF WASHINGTON

The bill (S. 993) to provide for the reincorporation of Export-Import Bank of Washington, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

Mr. TOBEY. Mr. President, the Export-Import Bank has been chartered under the laws of the District of Columbia, and it is essential that it continue to operate after June 30, 1948, when the charter expires. The bank operates under a Federal charter. That is all there is to the bill. It does not change the provisions of the charter at all. It allows the continuation of the charter for a 5-year period.

Mr. President, the Export-Import Bank has beyond any question at all made the finest record of any Federal agency that I know of. It is operated with great efficiency. It has been ably managed. There is no criticism of it in any sense of the word. I recommend the passage of the bill. The Committee on Banking and Currency also unanimously recommends its passage.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 (a) of the Export-Import Bank Act of 1945, as amended (59 Stat. 526, 666), is hereby amended to read as follows:

"SEC. 2. (a) There is hereby created a corporation with the name Export-Import Bank of Washington, which shall be an agency of the United States of America. The objects and purposes of the bank shall be to aid in financing and to facilitate exports and imports and the exchange of commodities between the United States or any of its Territories or insular possessions and any foreign country or the agencies or nationals thereof. In connection with and in furtherance of its objects and purposes, the bank is authorized and empowered to do a general banking business except that of circulation; to receive deposits; to purchase, discount, rediscount, sell, and negotiate, with or without its endorsement or guaranty, and to guarantee notes, drafts, checks, bills of exchange, acceptances, including bankers' acceptances, cable transfers, and other evidences of indebtedness; to purchase, sell, and guarantee securities, but not to purchase with its funds any stock in any other corporation, except that it may acquire any such stock through the enforcement of any lien or pledge or otherwise to satisfy a previously contracted indebtedness to it; to accept bills and drafts drawn upon it; to issue letters of credit; to purchase and sell coin, bullion, and exchange; to borrow and to lend money; to perform any act herein authorized in participation with any other person, including any individual, partnership, corporation, or association; to adopt, alter, and use a corporate seal, which shall be judicially noticed; to sue and to be

sued, to complain and to defend in any court of competent jurisdiction; and the enumeration of the foregoing powers shall not be deemed to exclude other powers necessary to the achievement of the objects and purpose of the bank. The bank shall be entitled to the use of the United States mails in the same manner and upon the same conditions as the executive departments of the Government. The bank is hereby authorized to use all of its assets and all moneys which have been or may hereafter be allocated to or borrowed by it in the exercise of its functions. Net earnings of the bank after reasonable provision for possible losses shall be used for payment of dividends on capital stock. Any such dividends shall be deposited into the Treasury as miscellaneous receipts."

SEC. 2. The Export-Import Bank Act of 1945, as amended, is hereby amended by striking out from section 6 thereof the words "Such obligations shall be redeemable at the option of the bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity and bear such rate of interest as may be determined by the Board of Directors of the bank with the approval of the Secretary of the Treasury" and substituting in lieu thereof the following: "Such obligations shall be redeemable at the option of the bank before maturity in such manner as may be stipulated in such obligations and shall have such maturity as may be determined by the Board of Directors of the bank with the approval of the Secretary of the Treasury. Each such obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the obligation of the bank."

SEC. 3. The Export-Import Bank Act of 1945, as amended, is hereby amended by striking out section 8 therefrom and substituting in lieu thereof a new section 8 as follows:

"SEC. 8. Export-Import Bank of Washington shall continue to exercise its functions in connection with and in furtherance of its objects and purposes until the close of business on June 30, 1953, but the provisions of this section shall not be construed as preventing the bank from acquiring obligations prior to such date which mature subsequent to such date or from assuming prior to such date liability as guarantor, endorser, or acceptor of obligations which mature subsequent to such date or from issuing, either prior or subsequent to such date, for purchase by the Secretary of the Treasury, its notes, debentures, bonds, or other obligations which mature subsequent to such date or from continuing as a corporate agency of the United States and exercising any of its functions subsequent to such date for purposes of orderly liquidation, including the administration of its assets and the collection of any obligations held by the bank."

SEC. 4. The Export-Import Bank Act of 1945, as amended, is hereby amended by the addition of a section 12 as follows:

"SEC. 12. The Export-Import Bank of Washington created hereby shall by virtue of this act succeed to all of the rights and assume all of the liabilities of Export-Import Bank of Washington, a District of Columbia corporation, and any outstanding capital stock of the District of Columbia corporation shall be deemed to have been issued by and shall be capital stock of the corporation created by this act, and all of the personnel, property, records, funds (including all unexpended balances of appropriations, allocations, or other funds now available), assets, contracts, obligations, and liabilities of the District of Columbia corporation are hereby transferred to, accepted, and assumed by the corporation created by this act without the necessity of any act or acts on the part of

the corporation created by this act or of the District of Columbia corporation, their officers, employees, or agents, or of any other department or agency of the United States, to carry out the purposes hereof, and it shall be unnecessary to take any further action to effect the dissolution or liquidation of Export-Import Bank of Washington, a District of Columbia corporation. The members of the Board of Directors of the District of Columbia corporation, appointed pursuant to the provisions of the Export-Import Bank Act of 1945, shall, during the unexpired portion of the terms for which they were appointed, continue in office as members of the Board of Directors of the corporation created by this act."

BILLS PASSED OVER

The bill (S. 1126) to amend the National Labor Relations Act to provide additional facilities for the mediation of labor disputes affecting commerce to equalize legal responsibilities of labor organizations and employers, and prevent monopolistic labor practices, and for other purposes, was announced as next in order.

Mr. TAFT. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 3020) to prescribe fair and equitable rules of conduct to be observed by labor and management in their relations with one another which affect commerce, to protect the rights of individual workers in their relations with labor organizations whose activities affect commerce, and for other purposes, was announced as next in order.

Mr. TAFT. Over.

The PRESIDENT pro tempore. The bill will be passed over.

That completes the calendar.

LEGISLATIVE BUDGET

Mr. McMAHON. Mr. President, looking at the calendar I notice that there is in conference House Concurrent Resolution 20, having to do with expenditures for the fiscal year 1948. I notice that the Senator from Colorado [Mr. MILLIKIN] is one of the conferees. It is my recollection—I have not verified it—that the Senate passed on the total budget near the end of February, almost 2 months ago. I was curious to know whether any common guess had been arrived at by the conferees so that they could bring their estimate or guess back to the Senate so that we could hear about it.

Mr. MILLIKIN. Mr. President, I am unable to testify as to a common guess or any other kind of a guess. I can say that there has been no agreement among the conferees.

Mr. LUCAS. Mr. President, can the able Senator tell me when he expects an agreement among the conferees upon the so-called legislative budget, which has been under discussion for months?

Mr. MILLIKIN. I regret to say that I cannot make a durable estimate.

Mr. LUCAS. Is it the intention ultimately to submit to the Senate some kind of a report on the proposal for a \$6,000,000,000 cut or a four-and-a-half-billion-dollar cut?

Mr. MILLIKIN. So far as I am concerned, there is such an intention.

Mr. LUCAS. It has been rumored that all that was expected to be done with

80TH CONGRESS
1ST SESSION

S. 338

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1947

Referred to the Committee on Agriculture

AN ACT

To amend the Plant Quarantine Act approved August 20, 1912,
as amended, by adding thereto a new section.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Plant Quarantine Act approved August 20, 1912,
4 as amended, be amended by adding thereto a new section, as
5 follows:

6 “SEC. . In order to protect American agriculture, hor-
7 ticulture, and forestry from injurious insect pests and plant
8 diseases new to or not widely prevalent or distributed within
9 and throughout the United States the Secretary of Agriculture
10 is authorized to limit entry of nursery stock and bulbs from
11 foreign countries to that needed for propagation purposes,

1 under such rules and regulations as he may deem necessary,
2 including the requirement, if necessary, that such nursery
3 stock and bulbs be grown under postentry quarantine by or
4 under the supervision of the United States Department of
5 Agriculture for the purpose of determining whether im-
6 ported nursery stock or bulbs may be infested or infected
7 with plant pests not discernible by port-of-entry inspection
8 and provided that if imported nursery stock or bulbs are
9 found to be infested or infected with such plant pests, he is
10 authorized to prescribe remedial measures as he may deem
11 necessary to prevent the spread thereof."

Passed the Senate April 21, 1947.

Attest:

CARL A. LOEFFLER,

Secretary.

AN ACT

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

APRIL 22, 1947

Referred to the Committee on Agriculture

Nations in alliance with the beastly and murderous Nazis. My heart and my sympathies go out to starving peoples everywhere, who seldom can have any control over what their rulers do.

Surely no country, except Poland, suffered greater destruction and looting at the hands of the Nazis than little Czechoslovakia, left defenseless against Hitler's avarice and lies and exploitation after Munich.

NO COUNTRY SHOULD BE DISCRIMINATED AGAINST

I hope myself that every country which needs assistance will receive it, and that no country in need of aid will be discriminated against for any reason.

Since the committee heard the testimony of well-informed representatives of the State Department, who had estimated the degree of aid needed very carefully, I hope that Czechoslovakia was excluded from the program only because that brave and industrious country has been able to lift herself by her bootstraps to a position where no further assistance is needed.

CZECHOSLOVAKIA NOT COMMUNIST-DOMINATED

I am not blind nor deaf, Mr. Speaker, to the assertions made by prejudiced or ill-informed people that Czechoslovakia is oriented toward and dominated by communism.

Nothing could be farther from the truth.

The Czechoslovakian people are deeply and strongly devoted to the ideal of democracy—to democracy as we know it in America, a democracy of individual freedom and majority rule. Not only in government but in temperament Czechoslovakians are like Americans. They are eager, busy, industrious, and ingenious.

APPRECIATE LOYAL SUPPORT

It naturally follows that after the Munich betrayal, when Russia, though separated from Czechoslovakia by the barrier of Poland, was the only great power which showed any disposition to support Czechoslovakian claims against the ruthless aggression of Hitler, and after the liberation of Czechoslovakia by Russian armies as the cruel Nazi empire began to crumble, the Czechoslovakian people quite properly feel a strong bond of gratitude to the great power which has continuously shown by concrete action its friendliness.

No nation has been more friendly toward the American people than Czechoslovakia, yet to our shame we must admit that in 1937 and 1938, when Czechoslovakia needed our help desperately, we did not and could not be of aid.

HELP WILL COME BACK MANYFOLD

I repeat, then, Mr. Speaker, that it is my profound hope that those delegated by the President to administer this program will be free of any sense of discrimination, and that if any country other than the six named is found to need aid it will be forthcoming freely and equally, not only for Czechoslovakia but for any other.

Though this authorization of \$350,000,000 seems large, I want to say that history proves it will be an investment which will be returned to us manyfold in trade, in good will, and in gratitude from the starving, cold, and homeless

people we help to rehabilitate themselves and to rebuild their ravaged countries.

TRADE INCREASED WITH RESPONSIBILITY

Ever since America began to reach political maturity, and to fulfill her role as a world power of liberal sympathies, our commerce has increased profitably, and our ready willingness to help others has moved them to help us in return.

Moreover, a relatively small amount of this authorization calls for actual cash. Much of it will be filled by transfer of surpluses from war supplies, or will be supplied through lines of credit for the purchase of our products, which will further aid our own economy in maintaining its present phenomenal prosperity.

Surely no American will begrudge such aid as we, the richest nation in the world, with our own shores untouched by the ravages of the Nazi war against civilization can give; and by the giving we shall forestall that jealousy and avarice which otherwise our prosperity might engender.

Since I cannot believe, Mr. Speaker, that there can be opposition either to the rule or to the joint resolution, I shall detain the House no longer.

Mr. HERTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

HOOR OF MEETING TOMORROW

Mr. ARENDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. HERTER and Mr. SABATH asked and were given permission to revise and extend their remarks.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD in three instances and include articles and editorials.

Mr. SABATH asked and was given permission to extend his remarks in the RECORD and include a speech made by Mr. Sullivan.

SPECIAL ORDER GRANTED

Mr. HAND. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes on the subject of reciprocal trade.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

TURKISH PRESS CONTROL

Mr. BENDER. Mr. Speaker, here on the floor of the House, I have pointed out

that the Turkish Government is in a better financial position than we are. I have pointed out that the State Department, in effect, is proposing that we form a military alliance with a dictatorial government, whose refusal to honor its own agreements is a matter of record. I have challenged the intelligence of such a policy. Indeed, I have questioned the intent behind such nonsense, such colossal and stupid arrogance with which the State Department assumes that we will rubber-stamp anything that they may propose.

Mr. Speaker, we cherish the freedom of the press in this country. Our forefathers believed in the freedom of the press so thoroughly and completely that they wrote it into the Bill of Rights of our Constitution. So, Mr. Speaker, in the preparation of the Greek-Turkish military alliance bill, a clause has been inserted which says that our newspapermen and our radio men shall have free access to information in regard to the carrying out of the provisions of this act. Obviously, Mr. Speaker, this clause in the proposed bill should guarantee American newspapermen the right to inquire, the right to report news in Turkey and Greece without censorship and without hindrance.

Mr. Speaker, perhaps some of the Members of the House do not know that there is no freedom of the press in Turkey. Perhaps they do not understand that Turkey is a dictatorship. For that reason, Mr. Speaker, I wish to call the attention of the House to the fact that the correspondent for the New York Times had his license to file cables taken away from him within the past month because he dared to report the existence of press censorship in Turkey. Because I believe that this question touches the roots of the American democratic system I wish to read to the House the story which the New York Times correspondent wrote concerning the Turkish censorship of the press. I want the Members of the House to bear in mind that this correspondent had his right to file cables taken away from him because of the story that I am now going to read from the New York Times of March 29:

easing of Turkish press control is sought with loan as lever—PROGRESSIVES DECRY "CHINESE WALL" AROUND COUNTRY—SEVERE PENALTIES PRESCRIBED FOR REPORTS DEEMED OBJECTIONABLE

ISTANBUL, Turkey, March 28.—In the light of the latest developments in Turkish-United States relations progressive individuals and newspapers are renewing their efforts to ease what is considered to be the difficult position of foreign press correspondents here.

A leading opposition paper, Vatan, which is campaigning for freedom of the press, editorially urged the Government today to accord more facilities and cheaper cable rates to foreign correspondents "if we want to pull down the Chinese wall surrounding us." Interpretative reporting here is hazardous in view of the Turkish law relating to the dissemination of information. Although unofficial censorship of cabled press messages ended last June and no signs of visible, direct censorship exist, correspondents still face what is known as the German system, censorship at the source, which puts correspondents on the carpet for printed cables judged by the authorities to be objectionable.

The Turks, who still are shy of foreigners, consider the correspondents a sort of spy, one

to be avoided. No Government officer except the Premier is allowed to make a statement to the press without authorization from the top and it took the proposed American loan to induce Premier Receppeker to grant an interview recently.

The penal laws that apply to foreign correspondents and the local press have convinced reporters than an assignment in Turkey is no easy job. Article 140 prescribes a minimum of 5 years in prison for anyone sending abroad unfounded or exaggerated information on Turkey's internal political situation that might harm her dignity in foreign countries. The penalty applies to the person giving such information and to the correspondent who sends it.

Article 158 prescribes a minimum of 3 years in prison for anyone insulting the Turkish President or writing aggressively about him. A penalty of 1 to 6 years' imprisonment is provided in article 159 for any person insulting the moral personality of the national assembly, the Turkish Republic, the Government, the armed forces, the police, or the judicial system.

Article 162 provides that the act of transmitting a story or information that the law considers criminal is a crime.

The Government has argued that the laws are not invoked. They are enforceable, however, and hang over every reporter's head.

Mr. Speaker, this correspondent finished his story saying the laws are enforceable, and hang over every reporter's head. Two days later his right to file cables was revoked by the Turkish Government. This man felt his duty to tell the truth. He risked his job to send us, the Congress, this story. His job was taken away. It is interesting that several days later, the Turkish Government—doubtless under pressure from our State Department—restored the rights of this correspondent, pending the arrival of another correspondent from Athens.

Mr. Speaker, I trust that the House notes that the Turkish Government undertook to exercise its censorship in a most flagrant manner at the very same time that a bill to assist Turkey was before this House. The Turkish Government knew when it suspended this correspondent's license that a clause in the Greek-Turkish military bill provides for freedom of the press. The Turkish Government knew we will pass this bill only if the provision that freedom of the press is guaranteed. The Turkish Government deliberately flaunted in our faces its censorship. In effect, the Turkish Government told us that if we pass this present bill it has absolutely no intention of abiding by the provision of this bill.

Is there any Member of the House who is willing to defend the Turkish censorship of the press? Is there any Member of the House that really believes in his heart that the Turkish Government will abide by the provisions of the proposed Turkish military bill? Does anyone honestly believe that the Turkish Government will grant a free press if this bill is passed?

Mr. Speaker, I have previously pointed out that the Turkish Government is completely unreliable—that it violated its sworn agreement and alliance with the British during the war. I have pointed out how they are holding today looted Nazi gold which belongs to the American taxpayer. For God's sake, let the Congress of the United States not be betrayed by an arrogant State Department into a

completely hypocritical position. We may as well recognize now that the provisions guaranteeing free press in the present bill before us will be violated every day in the week by the Turkish Government.

Mr. Speaker, there is absolutely nothing which will in any way justify the formation of a military alliance with the present dictatorial Turkish Government. If Turkey is threatened in any way she should turn this problem over to the United Nations of which she is a member. If, as some think, the Turkish Government needs financial assistance, let the Turkish Government apply to the International Bank of which she is also a member. I, for one, refuse to vote for a single cent of American taxpayer money to be poured down this international rat hole of dictatorial power and intrigue.

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter I received from the Olympic Luggage Corp., of Kane, Pa., in reference to a reduction in prices, and a letter they sent out to their trade.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[The matter referred to appears in the Appendix.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DEANE, for April 23 and 24, on account of official business.

To Mr. ANGELL (at the request of Mr. ARENDS), for this week, on account of official business.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 53. An act conferring United States citizenship posthumously upon Harold Turcean; to the Committee on the Judiciary.

S. 135. An act to legalize the admission into the United States of Frank Schindler; to the Committee on the Judiciary.

S. 166. An act for the relief of Anna M. Kinat (Mrs. John P. Taylor); to the Committee on the Judiciary.

S. 245. An act to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; to the Committee on Agriculture and Forestry.

S. 338. An act to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section; to the Committee on Agriculture and Forestry.

S. 907. An act to provide for the orderly transaction of the public business in the event of the death, resignation, or separation from office of regional disbursing officers of the Treasury Department to the Committee on Expenditures in the Executive Departments.

S. 993. An act to provide for the reincorporation of Export-Import Bank of Washington, and for other purposes; to the Committee on Banking and Currency.

S. 1072. An act to extend until July 1, 1949, the period during which income from agricultural labor and nursing services may

be disregarded by the States in making old-age assistance payments without prejudicing their rights to grants-in-aid under the Social Security Act; to the Committee on Agriculture and Forestry.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 2413. An act to amend the Federal Reserve Act, and for other purposes.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 23, 1947, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

581. A letter from the Acting Postmaster General, transmitting the cost ascertainment report and appendix for the fiscal year 1946; to the Committee on Post Office and Civil Service.

582. A letter from the Acting Secretary of the Navy, transmitting report of the proposed transfer of vessels to the State of Maryland; to the Committee on Armed Services.

583. A letter from the Acting Secretary of the Navy, transmitting report of the proposed transfer of a vessel to the Girl Scout Mariner Troop, No. 12, of Peekskill, N. Y.; to the Committee on Armed Services.

584. A letter from the Clerk of the House of Representatives, transmitting copies of the notice of contestant and the reply thereto in the case of contest for a seat in the House of Representatives from the Eighth Congressional District of the State of Virginia (H. Doc. No. 213); to the Committee on House Administration and ordered to be printed.

585. A letter from the Secretary of War, transmitting draft of a proposed bill to amend Public Law 301, Seventy-ninth Congress, approved February 18, 1946, so as to extend the benefits of the Missing Persons Act, approved March 7, 1942 (56 Stat. 143), as amended, to certain members of the organized military forces of the Government of the Commonwealth of the Philippines; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS of New Jersey: Committee on Un-American Activities submits a report citing Leon Josephson (Rept. No. 281). Ordered to be printed.

Mr. DIRKSEN: Committee on the District of Columbia. S. 736. An act authorizing the Commissioners of the District of Columbia to establish daylight-saving time in the District of Columbia during 1947; without amendment (Rept. No. 287). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS of New Jersey: Committee on Un-American Activities submits a report

AMEND PLANT QUARANTINE ACT

HEARINGS

BEFORE

THE COMMITTEE ON AGRICULTURE HOUSE OF REPRESENTATIVES

EIGHTIETH CONGRESS

FIRST SESSION

ON

S. 338, H. R. 2773, and H. R. 2950

TO AMEND THE PLANT QUARANTINE ACT APPROVED
AUGUST 30, 1912, AS AMENDED, BY ADDING
THERE TO A NEW SECTION

JUNE 5 AND 6, 1947

Printed for the use of the Committee on Agriculture



UNITED STATES
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WASHINGTON : 1947

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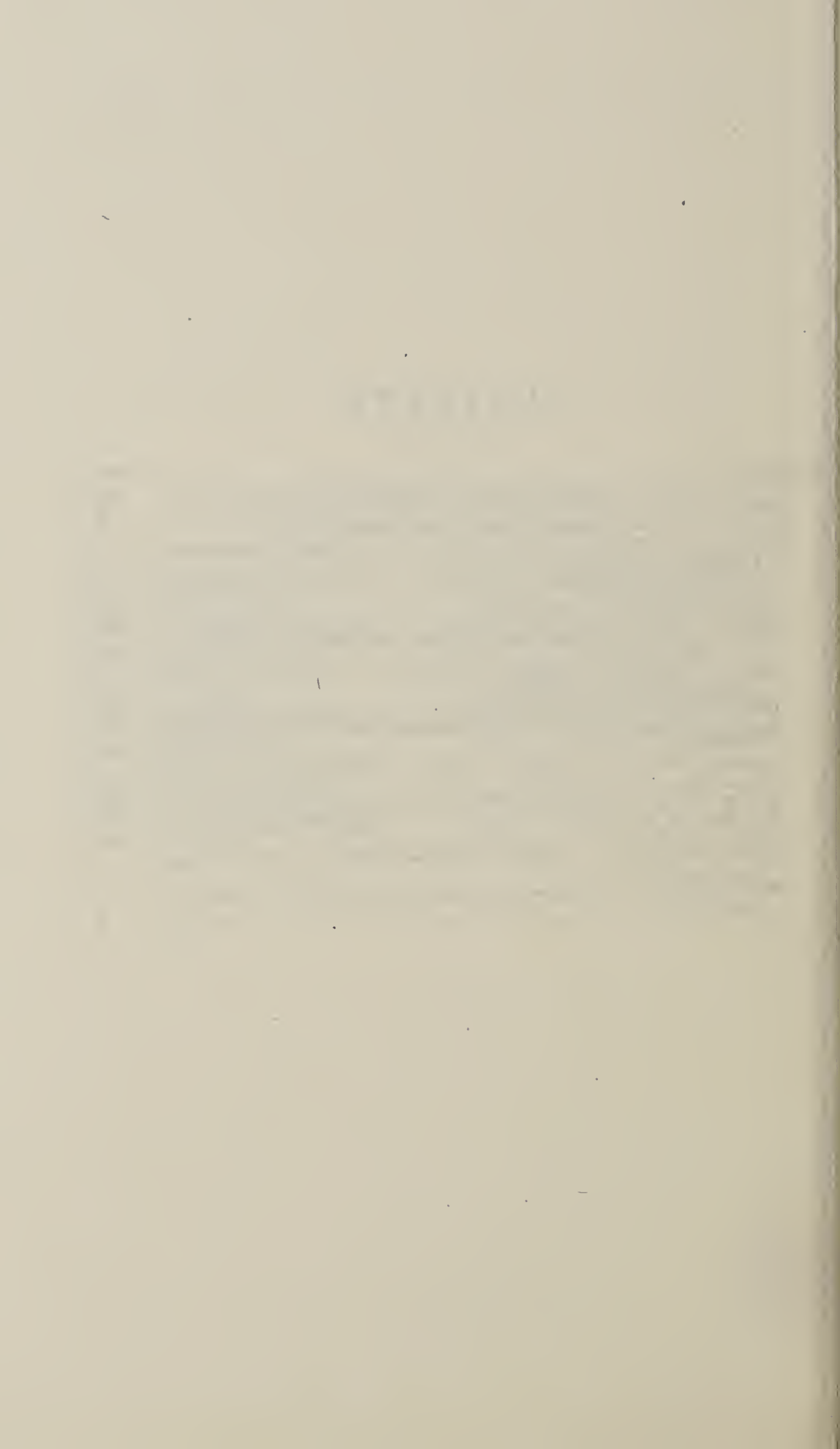
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AMEND PLANT QUARANTINE ACT

THURSDAY, JUNE 5, 1947

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The committee met at 10 a. m., Hon. Clifford R. Hope, chairman, presiding.

The CHAIRMAN. The committee will come to order. The committee has met this morning to consider S. 338, H. R. 2950 introduced by the Chair, and H. R. 2773, the bill that Mr. Ellsworth introduced. These bills will be inserted in the record at this point.

(S. 338, H. R. 2950, and H. R. 2773 are as follows:)

[S. 338, 80th Cong., 1st sess.]

AN ACT To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by adding thereto a new section, as follows:

"SEC. . In order to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States the Secretary of Agriculture is authorized to limit entry of nursery stock and bulbs from foreign countries to that needed for propagation purposes, under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock and bulbs be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock or bulbs may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock or bulbs are found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

Passed the Senate April 21, 1947.

Attest:

CARL A. LOEFFLER,
Secretary.

[H. R. 2950, 80th Cong., 1st sess.]

A BILL To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by adding thereto a new section as follows:

"SEC. . In order to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States, the Secretary of Agriculture is authorized to limit entry of nursery stock from foreign countries to that

needed for propagation purposes, under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection: *Provided*, That if imported nursery stock is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

[H. R. 2773, 80th Cong., 1st sess.]

A BILL To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by adding thereto a new section, as follows:

"SEC. . In order to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States, the Secretary of Agriculture is authorized to limit entry of nursery stock, including bulbs from foreign countries, to that needed for propagation purposes, under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock, including bulbs, be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock, including bulbs, may be infested or infected with plant pests not discernible by port-of-entry inspection: *Provided*, That if imported nursery stock, including bulbs, is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

The CHAIRMAN. The Chair has a number of requests to appear on the part of witnesses representing various viewpoints in connection with this legislation.

Mr. HOEVEN. Mr. Chairman, do I understand that we have before us S. 338, H. R. 2950, and H. R. 2773, and that they are identical bills?

The CHAIRMAN. No; they are not. The Chair understands that S. 338, as amended, is the same as the Ellsworth bill, and the bill which the Chair has introduced is identical except it does not include bulbs.

We will proceed at this time to hear the witnesses appearing for the bill. We will be glad to hear you at this time, Mr. White.

STATEMENT OF RICHARD P. WHITE, REPRESENTING AMERICAN ASSOCIATION OF NURSERYMEN, INC.

Mr. WHITE. My name is Richard P. White, and I come before you representing the American Association of Nurserymen, Inc., and 57 local, State, and regional associations of nurserymen. As a national trade association, we represent better than 80 percent of the total nursery business of the country, with members in 44 of the 48 States of the Union. The headquarters of the association is at 636 Southern Building, Washington, D. C.

WHY THIS LEGISLATION IS NECESSARY

In 1912 the Congress passed what is now known as the Plant Quarantine Act of 1912, giving the Secretary of Agriculture the authority to regulate the importation of nursery stock, plants, and plant prod-

acts for the purpose of preventing the further introduction of plant pests from foreign lands. Up to that time several very important and serious plant pests have been introduced on nursery stock into the continental United States and were, according to the Department of Agriculture, exacting an annual toll of approximately \$500,000,000.

In 1919 plant quarantine No. 37, known as the nursery stock and seed quarantine, became effective. The rules and regulations promulgated under this quarantine limited the quantities of nursery-stock items that could be imported under special permit; specified that these limited quantities were to be used for propagation, experimental, scientific, and educational purposes only, and were to be grown under supervision of the United States Department of Agriculture until released by them. Regulation 14, under the plant quarantine No. 37, reads as follows:

Application may be made to the Secretary of Agriculture for special permits for the importation, in limited quantities and under conditions and safeguards to be prescribed in such permits, of nursery stock and other plants and seeds not covered by the preceding regulations, for the purpose of keeping the country supplied with new varieties and necessary propagation stock, or for any necessary experimental, educational, or scientific purposes.

Under quarantine No. 37 and its regulations, particularly regulation 14, nursery stock has been imported into this country in limited quantities only and for the specific purposes mentioned in regulation 14. This condition existed from the time the regulations and quarantine were promulgated in 1918 until very recently. There has been no serious criticism of this regulation from the members of the nursery trade in this country, and we have heard of no objection to it from members of the nursery trade, or other officials of foreign countries. The limitation of imports of nursery stock has, consequently, for many years been considered and accepted as a necessary regulation to protect American agriculture, horticulture, and forestry from further losses due to foreign plant pests. Nursery stock imported into this country from foreign countries in unlimited quantities has a very bad pest record. I would like to refer you right there to page 3 of the appendix which is attached to this memorandum, in which you will find listed several very important economic insects and plant diseases that have been imported into this country on nursery stock in years past, and the total cost to this country to date.

On May 4, 1940, the then Chief of the Bureau of Entomology and Plant Quarantine, Dr. Lee A. Strong, directed a memorandum to the Solicitor of the Department of Agriculture in which two specific questions were asked. These questions were, quoting from this memorandum:

(1) Is the Secretary authorized to establish quantity limits restricting the number of plants which may be imported, under permit, in any given fiscal year by any one permittee?

(2) Is the Secretary authorized to restrict the size or age of plants to be imported under permit?

In view of the fact that, to the best of our knowledge, the regulations under plant quarantine No. 37, specifically regulation 14, which authorized the limitation of imports, had not been questioned seriously, we do not know why these questions were propounded at this time to the Solicitor of the Department of Agriculture.

Under the date of May 13, 1940 the then Solicitor of the Department of Agriculture, Mr. Mastin G. White, replied to Mr. Strong as follows, and I quote from Mr. White's memorandum to Dr. Strong:

In our opinion, therefore, the establishment of quantity limits is arbitrary, unreasonable, and unwarranted. * * * It follows, therefore, that, in our opinion, the Secretary of Agriculture is without authority to establish limits restricting the number of plants which may be imported, under permit, in any given fiscal year by one permittee * * * we believe the imposition of suitable size or age limits would be a reasonable exercise of the Secretary's regulatory authority.

The sum and substance of the Solicitor's opinion, therefore, was to indicate to the Secretary of Agriculture that he had no authority, under the Plant Quarantine Act of 1912, to restrict the number of plants which may be imported under quarantine, but he could impose suitable size or age limits.

Acting under the authority of this Solicitor's opinion, the Bureau of Entomology and Plant Quarantine issued BEPQ 523, effective May 11, 1942, which provided for a 25-percent increase in the quantity limits of plants which could be imported under permit for propagation purposes. Effective January 16, 1943, BEPQ 523, supplement No. 1, was issued, increasing the quantity limits by 60 percent. Effective August 25, 1943, BEPQ 523, supplement No. 2, was issued, revoking all quantity limits, the war and not the Solicitor's opinion being given as the reason for revocation. BEPQ 523, supplement No. 2, reads as follows:

Under present-day conditions little opportunity is afforded permittees to import the yearly quantity limits of plants authorized in BEPQ 523, supplement No. 1, effective January 16, 1943. In view of this situation the yearly quantity limits are temporarily suspended, effective August 25, 1943, until further notice.

This suspension notice certainly would lead one to believe, if he had not been thoroughly familiar with the background of the situation, that quantity limits were suspended only temporarily and for the duration of the war and would be reinstituted when the war was concluded; however, under the opinion of the Solicitor, Mr. White, rendered in 1940, the Bureau knew that it was his opinion that they had no authority to impose quantity limits of any type.

X Under the present situation, therefore, nursery stock of all types, with the exception of a few items specifically quarantined or embargoed under other regulations, are allowed unrestricted entry into the United States in unlimited quantities for immediate distribution and resale over the entire country. They are subject, to be sure, to a port-of-entry examination, but we maintain that this port-of-entry examination is totally inadequate to detect all the foreign plant pests that may be hitchhiking their way into this country. We have had a port-of-entry inspection service for many years, and they have certainly detected and prevented the introduction of many plant pests. It is also just as certain that they have failed to detect and failed to prevent the introduction of many more plant pests. It is admitted by all that no visual inspection will detect on dormant nursery stock, a whole group of very serious diseases; namely, those caused by viruses of various types.

It is also an accepted rule among regulatory officials that to increase the importations of nursery stock is to increase the pest risk.

Under the situation that prevailed previous to the revocation of

quantity limits, any pest which inadvertently was introduced into this country would be limited in its distribution in this country to those points to which the nursery stock was forwarded. Under the present situation, a pest which might be introduced on the unlimited quantities of nursery stock now allowed entry, any pest which was inadvertently introduced would immediately be widespread over the land due to its immediate wide distribution for resale purposes.

S. 338 and H. R. 2950, if enacted into law as a new section of the Plant Quarantine Act of 1912, would merely restore the prewar status of the international trade in nursery stock. It restores to the Secretary of Agriculture the authority for the limitation of imports on the basis of the pest risk involved, which he assumed he had under the original act of 1912 from the time of passage until the Solicitor's opinion was rendered in 1940. These two bills do nothing more than to restore the prewar status of the situation. The nursery industry of this country, particularly around such ports of entry as New York City, has suffered severely from time to time from the ravages of pests which have been imported from foreign lands. It is on this basis that this industry pleads for enactment of S. 338 as originally introduced so that we may be protected from such unnecessary losses in the future.

Another witness, Mr. Chairman, Mr. Meehan, who is chairman of my quarantine committee, would like to have a few minutes to explain to the committee exactly what these nurserymen are up against around these ports of entry.

It is interesting to note that these pests which may be imported into this country on nursery stock from foreign lands do not remain on the host, or on the nursery stock from which they gained entrance. The Japanese beetle is a most serious pest to the fruit interests of the eastern United States and is causing tremendous losses on other crops as well. It gained entrance into this country on nursery stock. The white pine blister rust came to this country on nursery stock, and you gentlemen in Congress know full well what this disease has done to the white pine timber stands of the land, in spite of the many millions of dollars which have been spent for control activities. This list could be multiplied many times.

SENATE AMENDMENTS TO S. 338

The Senate Committee on Agriculture in its wisdom amended S. 338 as introduced by Senators Capper and Thomas, to include bulbs along with nursery stock. The bill was reported from the Senate committee without hearings and passed the Senate as amended by the committee. Consequently, we had no opportunity to be heard before the committee of the Upper Chamber of Congress in regard to our view concerning this amendment. I wish to say a few words about it here, because we believe the amendment is entirely unnecessary for the protection of American agriculture, horticulture, and forestry from introduced plant pests. We believe the Senate amendment should be stricken from the bill for the following reasons:

The original act of 1912 defines nursery stock in section 6 as follows:

SEC. 6. That for the purpose of this act the term "nursery stock" shall include all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seed of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots.

The exceptions to this definition are important since it includes bulbs, the subject of the Senate amendment to S. 338. The Congress in 1912 recognized, however, that plants which were excepted by the definition of nursery stock could also serve as carriers of plant pests and consequently, under section 5 of the act, the Congress provided for the regulation of the import of the items which were excepted in the definition of nursery stock. Section 5 of the original act of 1912 reads as follows:

SEC. 5. That whenever the Secretary of Agriculture shall determine that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section 6 of this Act may result in the entry into the United States or any of its Territories or Districts of injurious plant diseases or insect pests, he shall promulgate his determination, specifying the class of plants and plant products the importation of which shall be restricted and the country and locality where they are grown, and thereafter, and until such promulgation is withdrawn, such plants and plant products imported or offered for import into the United States or any of its Territories or Districts shall be subject to all the provisions of the foregoing sections of this Act.

It is evident to use, therefore, that the Secretary of Agriculture has all the authority he needs now, under the law as originally passed, to take care of those plant items which may be imported or offered for import into the United States which are excepted from the term "nursery stock." We see no need to repeat this authorization for the inclusion of the term "bulbs" in the proposed amendment. The inclusion of the word "bulbs" in the proposed amendment gives the Secretary, as we see it, no additional authority which he does not already have under section 5 of the law. We believe the Senate amendment is entirely unnecessary for the protection of American agriculture, horticulture, and forestry and sincerely hope that the Senate amendment will be stricken from the bill by this committee.

In Senate Report No. 102 which accompanied S. 338, a letter from the Honorable Secretary of Agriculture, Clinton P. Anderson, is reproduced suggesting two amendments to S. 338 as introduced. These amendments the Senate committee did not include in the bill as they passed it. I would like to say a few words concerning these two proposals.

It was proposed that the words "to that needed for propagation purposes" be removed from the bill. We believe this clause is needed in the bill in order to specify the basis upon which the Secretary of Agriculture shall act. Without some statutory basis under which the Secretary shall use the authority which the proposed amendment gives him, different Secretaries, or the same Secretary under different situations, may use different bases of limitation and such would lead to utter confusion. There is also a very practical aspect to the need for limitation of quantities. If the Department should act under this authority and impose quantity limits on the importation of nursery stock, then he should impose limitations so as to reduce the pest risk to a minimum and yet keep American agriculture, horticulture, and forestry supplied with new varieties of plants which might be deemed satisfactory for testing, propagation, and growing in this country. There seems to be only one satisfactory basis and this is the basis as now written into the proposed amendment, namely, "to that needed for propagation purposes." If small quantities of plants are imported and are subject, as they should be, to postentry quarantine require-

ments, then these small quantities can be frequently inspected to determine their pest status without much cost. Larger quantities could not be as frequently or as thoroughly inspected to determine their pest status, which, in itself, would increase the pest risk and the cost of inspection would be markedly increased.

On the basis of this very practical aspect of the matter, we believe that these words "to that needed for propagation purposes" should be retained in the legislation.

The second reservation that the Secretary made was in regard to the holding of public hearings before he should act under the authorization of the proposed amendment to the law. We do not see any reason for a proposal to further amend the amendment to require the Secretary to hold public hearings for the following reasons.

Under section 5 of the law, which has been quoted, there is a proviso which I now would like to quote for the information of the committee, relating to the holding of public hearings. The proviso under section 5 reads as follows:

Provided, That before the Secretary of Agriculture shall promulgate his determination that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section 6 of this act may result in the entry into the United States or any of its Territories or districts of injurious plant diseases or insect pests he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

It would seem that the law as originally enacted took care of the provision for public hearings concerning the restriction or limitation of any plants not covered by the term "nursery stock."

I would also like to quote for the information of the committee from section 7 of the original law which applies to the importation of those plants covered by the definition of the term "nursery stock." Section 7 also has a proviso similar to that of section 5, which reads as follows:

Provided, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to forbid the importation into the United States of the articles named in this section he shall, after due notice to interested parties, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

It seems, therefore, that the Secretary already is required to hold public hearings before he can limit the importations or restrict the importations of nursery stock or other plants.

If the original law, which has been quoted, does not require the Secretary to hold public hearings as we believe it does, before he can act under the authorization which S. 338 would grant to him, then certainly, we believe, that section 4 (a) of Public Law 404 of the Seventy-ninth Congress known as the Administrative Procedure Act would require the Secretary to hold public hearings.

It would seem to us that the Secretary could not act under this authorization without holding public hearings prior to the time of the effective date of whatever promulgation he desires to make under the authorization granted to him in S. 338. I do know, from past experience, that it has been the practice of the Secretary to hold public hearings on such matters, evidently indicating that it was his opinion that public hearings had to be held and everybody had to have a chance to be heard either in person, or by attorney; consequently, we see no

need for the proposal made in Senate Report No. 102 relative to public hearings.

In summation, it is our view that—

(1) S. 338, as amended, should again be amended to eliminate all reference to bulbs, since the inclusion of bulbs in S. 338 by Senate amendment gives to the Secretary of Agriculture no additional authority which he does not already have under section 5 of the original act of 1912.

(2) That the reservation of the Secretary of Agriculture indicated in Senate Report No. 102, suggesting that the phrase "to that needed for propagation purposes" be eliminated from the bill, is, from practical standpoints, unsound and should be retained in the legislation.

(3) That there is no need for the proviso suggested by the Secretary of Agriculture in this report to the Senate which would specifically require him to give a public hearing before the promulgation of any rule or regulation under the authorization which S. 338 would grant to him, since he is already required to hold public hearings under the original act of 1912 and also under section 4 (a) of the Administrative Procedure Act of 1946.

We believe that S. 338 and H. R. 2950 as originally introduced, which evidently were designed to restore only the prewar status of international trade in nursery stock, were pieces of legislation which received the general support of horticulture, agriculture, and forestry in the country. We believe S. 338, which I understand is now under consideration by this committee, should be amended by this committee to strike from it the amendment which was included in the Senate and thereby remove all reference to bulbs and remove the bill from a controversial piece of proposed legislation. There was no objection, known to us, from the limitation of nursery stock from foreign lands into this country, either here or abroad, prior to the war. It was an accepted fact for many years that only by limitation of imports to that needed for propagation purposes could this relatively new country with its tremendous agricultural, horticultural, and forestry resources be protected from the ravages of introduced pests.

With the permission of the committee I would like to file a memorandum in support of S. 338 giving certain data on the costs of control and eradication to the United States Government and to State governments of pests previously introduced on nursery stock into this country and certain other pertinent information concerning the legislation under consideration. Attached to this memorandum is a list of organizations, national in scope, which have passed resolutions supporting the provisions of S. 338 or S. 1990 of the Seventy-ninth Congress, which was identical to S. 338 in this Congress; organizations outside of the commercial nursery field. That memorandum is attached, Mr. Chairman, to the material before you.

The CHAIRMAN. Without objection, it may be included in the record. (The memorandum referred to is as follows:)

SUMMARY OF MEMORANDUM IN SUPPORT OF S. 338, AN AMENDMENT TO THE PLANT QUARANTINE ACT OF 1912

(1) The Plant Quarantine Act provides for the regulation of the importation of nursery stock and other plants and plant products for the purpose of preventing the importation of economic plant pests. Up to 1943, this regulation consisted, among other things, of the limitation of quantities of nursery stock that

could be imported under permit on the sound theory that to increase quantities of plants moving into this country would automatically increase the pest risk.

(2) This regulation was revoked in 1943 as a result of an opinion by the solicitor of the United States Department of Agriculture to the effect that the Plant Quarantine Act of 1912 did not provide statutory authority to limit quantities. As a result of this revocation, nursery stock, with the exception of a few specifically embargoed items, may now be imported into the United States in unlimited quantities, for immediate wide distribution throughout the country, subject only to an inadequate port-of-entry inspection.

(3) Continued importation of plants into this country will inevitably result in our domestic agriculture, horticulture, and forestry being subject to additional costly pest hazards.

(4) Increased importations will undoubtedly result in requests for additional funds of sizable amounts for port-of-entry inspection work. The 1948 Budget (p. 303) shows a \$2,000,000 estimate for foreign plant quarantine, compared to \$1,552,000 appropriated in 1947.

(5) S. 338, if enacted into law, will give the Secretary of Agriculture authority to (a) limit the quantities of nursery stock that may be imported to that needed for propagation purposes, and (b) to require that the plants that are imported be grown under whatever postentry requirements he may deem necessary in order to insure pest freedom.

(6) Annual costs to American agriculture, horticulture, and forestry from pests of foreign origin are variously estimated up to 1½ billion dollars. The 1948 Federal Budget carries in excess of \$9,000,000 for research and control activities of such imported pests.

(7) S. 338 does not interfere with the legitimate international trade in plants and plant products by amateurs or professional specialist plant growers. The bill is designed to prevent, insofar as it is possible to do so, the further introduction of plant pests into this country from foreign lands which may cause unestimated losses to our agriculture, horticulture, and forestry resources and add to the annual costs of agricultural production.

(8) The proposed legislation is supported by a large number of agricultural, horticultural, forestry, and park associations, as indicated on page 7.

MEMORANDUM IN SUPPORT OF S. 338, PREPARED BY AMERICAN ASSOCIATION OF NURSERYMEN, INC., WASHINGTON 5, D. C.

We believe it is urgent that the Plant Quarantine Act of 1912 be amended as suggested in S. 338 if American agriculture, horticulture, and forestry are to be adequately protected from further losses due to the importation of plant pests, both insect and disease.

PLANT QUARANTINE ACT OF 1912

The Sixty-second Congress, second session, enacted the Plant Quarantine Act of 1912. It became Public Law 275 of that session (H. Rept. 398 on H. R. 21291; H. Rept. 660 on H. R. 24119; S. Repts. 932 and 961 on S. 4468).

One of the three major purposes of the Plant Quarantine Act of 1912 was "to regulate the importation of nursery stock and other plants and plant products" with the objective of preventing, insofar as possible, the further introduction of insect pests and plant diseases into this country. At the time of the enactment of this legislation, the United States was the only great power without protection from the importation of insect-infested or diseased plant stock.

WHAT S. 338 PROVIDES

S. 338 will provide the Secretary of Agriculture with authority to limit imports of nursery stock from foreign countries and to require that nursery stock which is imported be grown under such postentry requirements as he deems necessary in order that freedom from plant pests which might become of serious economic consequence in the United States may be assured.

WHY ENACTMENT OF S. 338 IS URGENT

Under the Plant Quarantine Act of 1912, the Secretary of Agriculture was given authority to regulate the importation of nursery stock, plants, and plant products for the purpose of preventing the further introduction of plant pests,

which were at that time, according to Mr. C. L. Marlatt, Chairman of the Federal Horticultural Board, exacting an annual toll of \$500,000,000.¹

Under authority of this act, quarantine No. 37, known as the nursery stock and seed quarantine, was promulgated in 1918, and the rules and regulations laid down under the quarantine limited the quantities of nursery stock items that could be imported under special permit, specified that these limited quantities were to be used for propagation, experimental, scientific, and educational purposes only, and were to be grown under supervision of the United States Department of Agriculture until released by them.

In 1940 the then Solicitor of the United States Department of Agriculture rendered an opinion at the request of Dr. Lee A. Strong, then Chief of the Bureau of Entomology and Plant Quarantine, as follows:² "It follows, therefore, that in our opinion, the Secretary of Agriculture is without authority to establish limits restricting the number of plants which may be imported, under permit, in any given fiscal year by one permittee."

In 1943, in accordance with this opinion, the Bureau of Entomology and Plant Quarantine suspended all quantity limits.³

At the present time, therefore, nursery stock, with the exception of a few specifically embargoed items, such as fruit understocks, citrus stock, plants with soil about the roots, and stock of white pines, is allowed entry into this country from all foreign countries under permit, in unlimited quantities, and subject only to an inadequate port-of-entry inspection. In other words, insofar as protecting this country from further invasions of economic plant pests from foreign countries is concerned, we are right back for all practical purposes to the position of 1912, before the act was passed.

SITUATION PRIOR TO 1912

Prior to 1912, and the enactment of the Plant Quarantine Act, this was the only major country in the world that did not protect its own agriculture from the damages of plant pests of foreign lands.⁴

Prior to 1912 such costly insects and diseases had been introduced into the United States on nursery stock as the white-pine blister rust, citrus canker, chestnut blight, codling moth, apple scab, San Jose scale, grape anthracnose, and others. The great economic importance of these pests of foreign origin to the agriculture, horticulture, and forestry in this country and the losses that these insect pests and plant diseases were causing to our fruit industry and to forestry were potent arguments in favor of enactment of the act of 1912.

OTHER PESTS INTRODUCED

In 1919 J. A. Stevenson,⁵ of the United States Department of Agriculture, in an unpublished memorandum to the Federal Horticultural Board, listed 120 diseases of economic importance known to have been introduced into this country up to that time, and the author indicated that his list was far from complete.

Herrick,⁶ in 1929, listed 35 major insect pests of foreign origin. To the Stevenson list, N. Rex Hunt,⁷ in another unpublished memorandum, added 75 more diseases to the 120 already listed, known to have been imported inadvertently to our shores.

COSTS

The annual toll taken by pests of foreign origin from American agriculture and forestry was estimated in 1912 by Marlatt at half a billion dollars. In 1940⁸ E. R. Sasscer, of the United States Department of Agriculture, estimated that in consideration of the cost of crop damages sustained, the cost of research and quarantine organizations, the losses due to limitation of quarantined crop markets, the crop processing costs due to insect depredations, and the grading allowances of produce on account of insect injury, annual losses chargeable to imported insects approximated \$1,500,000,000.

¹ References: H. Repts. 660 and 398, and S. Repts. 932 and 961, 62d Cong., 2d sess., 1912.

² Letter dated May 13, 1940, to Dr. Lee A. Strong, Chief, Bureau of Entomology and Plant Quarantine, signed by Mastin G. White, solicitor.

³ BEPQ 523, supplement 2, August 25, 1943.

⁴ H. Repts. 398 and 660 and S. Repts. 932 and 961, 62d Cong., 2d sess., 1912.

⁵ Stevenson, J. A., unpublished memorandum to the Federal Horticultural Board, 1919.

⁶ Herrick, Glenn W., *The Procession of Foreign Insect Pests*. Scientific Monthly, vol. 29, pp. 269-274, 1929.

⁷ Hunt, N. Rex., unpublished memorandum listing 75 introduced diseases additional to those listed in 1919 by J. A. Stevenson.

⁸ Sasscer, E. R., *Undesirable Insect Aliens*, Jour. Econ. Entomology, vol. 33, No. 2: 1-8, 1940.

Since then we have lost by a disease of Asiatic (Japan) origin, all our native chestnuts, which were a valuable national asset. The loss of potential timber caused by another disease, blister rust, of foreign origin, this time from Europe (Germany) cannot be accurately estimated, but since the disease is of national distribution today, the loss is undoubtedly an imposing one. At least State and National Governments have appropriated from 1916 to 1945 over \$43,000,000 for control. For control and eradication purposes for citrus canker, Federal and State legislatures have appropriated from 1915 to 1944 according to McCubbin,⁹ approximately \$13,000,000 for control and eradication activities, to which must be added the value of approximately 19½ million citrus grove and nursery trees which were destroyed.

The cost of attempting eradication, quarantine enforcement, research, and control of those foreign plant pests is not only a large annual item but over the years amounts to impressive figures.

Data¹⁰ for the cost to Federal and State Governments for some of the major insect pests and plant diseases known to have been introduced on nursery stock have been supplied by the Bureau of Entomology and Plant Quarantine as follows:

European corn borer, 1919-45	\$19,483,651
Japanese beetle, 1918-45	10,138,294
Dutch elm disease, 1934-45	24,301,457
Gypsy moth, 1907-45	42,729,026
White pine blister rust, 1916-45	43,371,703
Citrus canker, 1915-44	5,620,319
Black stem rust, 1918-45	18,992,498
Pear psylla, 1940-45	2,114,760
Codling moth, 1901-45	1,679,879
Oriental fruit moth, 1925-45	1,176,248
Date scale, 1924-36	579,427
Hall scale, 1941-45	196,511
Chinese scale, 1941-45	81,814
San Jose scale, 1932-41	71,800
Total (14 introduced pests)	170,537,387

The President's budget for 1948 carries in excess of \$5,000,000 for research and control activities on several pests of foreign origin as follows:

Japanese beetle control	\$435,100
Mexican fruit fly control	188,000
Gypsy brown-tail moth control	445,900
Inspection and certification for gypsy and brown-tail moth control	157,700
Dutch elm disease control	321,700
Pink boll worm and thuberia weevil	999,000
White pine blister rust control	1,443,350
White-fringed beetle control	848,500
Pear psylla control	495,000
Introduction of foreign parasites	53,500
Total	5,387,750

In addition to this \$5,000,000, there is another \$3,418,320 in the bill for the Bureau of Plant Industry and the Bureau of Entomology and Plant Quarantine, of which a large portion is used for research in developing controls for diseases and pests, many of which are of foreign origin, as follows:

Forest diseases, BPISAE	\$440,000
Deciduous fruit diseases, BPISAE	510,180
Citrus, avocado, and others, BPISAE	183,640
Fruit insects, BEPQ	513,000
Forest insects, BEPQ	480,800
Cotton insects, BEPQ	180,700
Truck and garden insects, BEPQ	446,300
Cereal and forage insects, BEPQ	509,300
Insecticide and fungicide investigations, BEPQ	154,400
Total	3,418,320

⁹ McCubbin, W. A., Preventing Plant Disease Introduction. Botanical Review, vol. 12, No. 2, pp. 101-139, February 1946.

¹⁰ Does not include State or Federal expenditures for fiscal year 1947.

An analysis of these necessary expenditures, in order that our agriculture, horticulture, and forestry may survive, indicates beyond any argument that these few insects and diseases of foreign origin cited above are costing us in direct Federal and State appropriations at least \$10,000,000 a year.

To this figure must be added the cost to local governmental units, such as counties and townships, and to the growers who in many cases must spend vast sums for insecticides, spraying equipment, and labor.

WHY NURSERY STOCK IS IMPORTANT

Imported shipments of plants and plant products are accompanied by living stages of foreign plant pests and nursery stock is particularly liable. C. L. Marlatt in 1923¹¹ stated that "imported nursery stock and other plants and seeds have been the source of the introduction of some 90 percent of the insect pests and plant diseases which have come to us from other countries, and which now occasion losses to our agriculture and forestry of approximately \$1,000,000,000 annually."

McCubbin in 1946¹² states "that a more certain method for deliberately transplanting a pathogen could scarcely be devised than that of transplanting and planting the affected host."

In view of these incontrovertible facts, judging from the past record of importations, nursery stock was limited entry to that needed for propagation, experimental, scientific, and educational purposes, and was to be grown under postentry supervision, two very sound regulations, which in 1940 were declared to be without authority in law.

PORT-OF-ENTRY INSPECTION INADEQUATE

✓ Port-of-entry inspection conducted by the Bureau of Entomology and Plant Quarantine has intercepted thousands of cases of insect pests and plant diseases, some new to the United States, but the majority of them already established here. How many thousands they have not detected will never be known. Certainly the Dutch elm disease, which has already cost the Federal and State governments in direct appropriations over \$42,000,000, was not detected at the port of entry until it was already pretty widely spread in the vicinity of New York City. It came in on burl logs, probably from France, a carrier which wasn't even suspected, until after the disease had been discovered here in 1930. How the Mediterranean fruit-fly reached Florida nobody knows. More recent pests that have been introduced into this country are several virus diseases of currants, grapes, *Ligustrum*, *Laburnum*, and *Euonymus*, the last three important horticultural plants in nurseries.

Certain stages in the development of insects and diseases are not discernible by even the most careful visual inspection, and other diseases are incapable of detection by any means on dormant plants. White-pine seedlings, for example, may be infected with whitepine blister rust and show no external evidence of the infection for a year. There may be other serious diseases of like nature. Virus diseases are not detectable except by the symptoms expressed on the growing plant and can never be detected on dormant nursery stock at the port of entry. Many virus diseases of plants are known to be present in foreign countries, which never have been discovered in the United States.

Consequently, although the port-of-entry inspection offers a certain degree of protection, it is by no means sufficient. If large quantities of nursery stock should be permitted entry as is now the situation, the personnel would be inadequate to do more than a casual examination of the materials, examining a certain percentage of the cases of stock and probably a small percentage of the nursery stock in each packing case.

DANGER NOT LIMITED TO PORTS OF ENTRY AND VICINITY

Under the present situation, unlimited quantities of nursery stock are permitted entry. These quantities of stock are immediately widely distributed in this country. If an economic insect or disease or a virus is undetectable at port of entry by visual inspection, or if through human error, one escapes notice, then the pests are immediately widely distributed over the land. While wide distribution will admittedly dilute the pest, the chances of establishment in many areas is a real risk.

¹¹ Explanation of the provisions for entry of plant novelties and propagating stock under Regulation 14, Quarantine 37, Federal Horticultural Board, Service Requirement Announcement, Jan.—Mar.

¹² *Ibid.*

STATES IN UNPROTECTED POSITION

All 48 States have and enforce a plant pest law. Under this law nurserymen are not allowed to move a single plant from the nursery for sale locally or for shipment, until a State or county official has inspected the stock, in the fields during the growing season, and in some cases again at harvest, found it apparently free from any dangerous insect pests and plant disease, and issued a certificate so stating. State inspection services for nursery stock are more and more effective in this work of preventing the spread of dangerous economic pests. Nurserymen, complying with these State laws, are as a result, forced to ship only stock apparently free of dangerous pests.

State officials, while protecting their own State's interests against the introduction of pests from other States, are powerless in most cases, of protecting their agricultural and forestry resources from foreign pests. They have always looked to the Federal Government to protect the United States as a whole from imported pests. Now they are confronted with a real and potent danger from abroad, due to the possibility of unlimited entry of nursery stock from other lands for immediate wide distribution.

FOREIGN INSPECTION UNTRUSTWORTHY

The question could be raised as to why not depend on inspection of this stock made by the agents of the exporting country, and accept a certificate from them certifying as to the freedom of insect pests and plant diseases.

Former Secretary of Agriculture, William M. Jardine, quoting from C. L. Marlatt, former Chairman of the Federal Horticultural Board, said "A practical test over a 7-year period of the possibility of safeguarding plant imports by inspection and disinfection plainly indicated the inadequacy of this method and the conclusion is forced that the only possible means of effectively lessening the introduction of new plant enemies is the policy of exclusion of all plants not absolutely essential to the agriculture and forestry needs of the United States."¹³

Just recently Mc'ubbin¹⁴ stated that those people who doubt the efficiency of foreign inspection "are not convinced of the wisdom of placing a country's vital interests so unreservedly in the hands of a foreign official who, even if motivated by an unquestioned good will, can have no compelling interest in or real responsibility for another nation's welfare, and they express profound misgivings, based on years of actual experience, concerning the standard of performance to be expected, claiming that few countries could be relied on to provide the accurate and reliable certification which disease-exclusion objectives would undoubtedly demand."

NURSERY INDUSTRY INTERESTS

The nursery industry of this country has a real interest in S. 338. When a newly introduced pest is discovered in this country, the assumption is generally and immediately made that the pest is carried by nursery stock shipments. In some cases, as a result of research, this assumption proves to be correct. In some, it has not proved to be correct. But in either case, in order to prevent the further spread of the pest, a domestic Federal quarantine or a multitude of State quarantines are promulgated prohibiting the movement of nursery stock from the quarantined area. As a result, orders are forced to be canceled, those nurserymen unfortunate enough to be located within the quarantined area suddenly find themselves with a restricted outlet for their crops, and in some cases with no outlet at all, which means total loss.

As a result of research, the quarantine may and usually is modified to become a regulatory quarantine. Nurserymen then are required, if they wish to do business outside the quarantined area, to go to all kinds of expense in soil treatments, fumigation chambers, special inspections and tags and certifications, etc.

These foreign plant pests have cost the industry millions of dollars and are continuing to cost us millions every year. We do not wish to be saddled with any more such costs. Consequently, the industry is overwhelmingly in favor of the enactment of this legislation. It is probably a unique thing today to find an in-

¹³ William M. Jardine. The Purposes of Plant Quarantines. The Nation, vol. 122, No. 3158, Jan. 13, 1926, pp. 33-34.

¹⁴ Ibid.

dustry asking for regulations. We are doing so for our own protection, and for the protection of all agriculture, horticulture, and forestry.

These insect pests and plant diseases that may be imported to our shores on nursery stock, to do not remain on nursery stock once they are established. The white pine blister rust went to the valuable white pine timber stands of the country; the chestnut blight also took to the woods; the oriental fruit moth has gone to practically every State in the Union—likewise the codling moth, the San Jose scale, and other fruit pests—and the fruit growers suffer as well as the nurserymen.

S. 338

S. 338 does only two things: (1) It authorizes the Secretary of Agriculture to limit the quantities of nursery stock allowed entry to this country to that needed for propagation purposes, and (2) it authorizes him to require that such stock as may be imported be grown under postentry quarantine until released by him. This is the authorization which several Secretaries of Agriculture thought they had, and regulations enforced over many years, without any question by the nursery trade, were based on this supposed authorization. Enactment of S. 338 will merely restore the situation to the prewar status,—to the status maintaining prior to the time of the Solicitor's opinion in 1940.

Speaking for the nursery industry of the country as represented by the American Association of Nurserymen, Inc., and 57 affiliated local, State, and regional associations, we urge the favorable consideration of this bill.

Resolutions supporting S. 338 (S. 1990, of the 79th Cong., which was identical to S. 338), received from—

National Association of Secretaries, Commissioners, and Directors of Agriculture,

H. K. Thatcher, secretary, Munsey Building, Washington, D. C.

National Grange, 744 Jackson Place NW., Washington, D. C.

National Plant Board, C. A. Boyer, secretary, Michigan State Department of Agriculture, East Lansing, Mich.

Commissioners of Agriculture of the Southern States, C. C. Hansen, secretary, Washington, D. C.

New England Forestry Foundation, H. A. Reynolds, secretary, 3 Joy Street, Boston, Mass.

Southern Plant Board, Arthur C. Brown, secretary, State Plant Board of Florida, Gainesville, Fla.

Central Plant Board, J. A. Munro, secretary, North Dakota Agricultural Experiment Station, Fargo, N. Dak.

Society of American Florists, Robert H. Roland, executive secretary, 600 South Michigan Ave., Chicago, Ill.

New Jersey Farm Bureau, Herbert W. Voorhees, president, Trenton, N. J.

State Plant Board of Florida, J. T. Diamond, secretary, Gainesville, Fla.

National Parks Association, Devereux Butcher, executive secretary, 1214 Sixteenth Street NW., Washington, D. C.

East Texas Rose Growers Association, Jesse Breedlove, secretary, Box 867, Tyler, Tex.

Illinois State Nurserymen's Association, Miles W. Bryant, secretary, Princeton, Ill.

Kansas Association of Nurserymen, Frank Pflumm, secretary, Shawnee, Kans.

Kentucky Nurserymen's Association, Howard G. Tilson, secretary, Lexington, Ky.

Massachusetts Forest and Park Association, H. A. Reynolds, secretary, 3 Joy Street, Boston, Mass.

Massachusetts Nurserymen's Association, C. J. Gilgut, secretary, Waltham, Mass.

Michigan Association of Nurserymen, Harold E. Hunziker, secretary, Niles, Mich.

Missouri Association of Nurserymen, W. A. Weber, secretary, Kirkwood, Mo.

New Jersey Association of Nurserymen, P. P. Pirone, secretary, New Jersey Agricultural Experiment Station, New Brunswick, N. J.

New York State Nurserymen's Association, P. J. van Melle, secretary, Poughkeepsie, N. Y.

Oklahoma City Retail Nurserymen's Association, J. A. Maddox, secretary, Oklahoma City, Okla.

Oregon Association of Nurserymen, Mrs. Julia Hansch, secretary, Portland, Oreg.

Pennsylvania Nurserymen's Association, A. F. Meehan, secretary, Dresher, Pa.

Tennessee Nurserymen's Association, J. R. Boyd, president, McMinnville, Tenn.

Virginia Nurserymen's Association, A. S. Gresham, Jr., secretary, Richmond, Va.

Washington State Nurserymen's Association, R. E. Tindall, secretary, Bothell, Wash.

West Virginia Nurserymen's Association, F. W. Craig, secretary, Charleston, W. Va.

Mr. WHITE. I want to thank this committee for the time allotted to us on this legislation which we view as being of tremendous importance to the future of American agriculture.

The CHAIRMAN. We thank you very much for your statement, Mr. White. Let me ask if there has been any increase in the importation of nursery stock since the order issued by the Secretary taking off the limitations.

Mr. WHITE. There has been an increase in the importation of nursery stock into this country since the war. Last year we had one shipment of practically a million rose bushes which came to this country from European countries, which were found at the port of entry to be rather heavily infected and infested with some plant pests. They were fumigated. That took care probably of the insect pests, but it did not take care of the plant diseases at all. They were released, and in some States the State authorities had to take over and the plants were destroyed, the conditions were so bad.

The CHAIRMAN. How do the importations in 1946 compare with prewar years?

Mr. WHITE. I do not have the exact figures, Mr. Chairman, but my estimation would be they were increased.

The CHAIRMAN. Increased over the prewar years?

Mr. WHITE. That is right. We will take 1940 as the last full prewar year. The importations of nursery stock at that time, in 1940, amounted to very little because we were still under restrictions in regard to the importations for propagation purposes only. In 1940 we imported practically 800,000 cuttings of roses or rose understock with a total value of \$11,000.

Mr. POAGE. Where did that come from?

Mr. WHITE. That largely came from the United Kingdom. Approximately 500,000 came from the United Kingdom and 275,000 in round numbers came from the Netherlands, and 27,000 came from Canada. In addition to that we imported 1,300 finished roses with a total value of \$294. We imported in 1940 grafted or budding fruit trees, cuttings and seedlings of shrubs, vines, plants, or bushes, 1,250,000 items. One million and two hundred thousand of them, however, came in from Cuba, and I have no idea what that was. It was of the total value, however, of only \$6,000. Then we imported for the same year, 1940, 93,000 orchid plants of the value of \$194,000. That is a florist item, however, and that is not affected by this legislation as well as certain quantities of shrub and tree seed not affected by this legislation. Finished roses which are brought in are for experimental purposes only, and a small amount of new varieties of tree and shrub liners, or lining-out stock. That is about the limit.

To get back to your question, Mr. Chairman, I am sure the quantities of nursery stock imported in 1946 would greatly exceed the imports in 1940.

The CHAIRMAN. Would you say they would exceed the average of the prewar years?

Mr. WHITE. Yes, I would, sir.

The CHAIRMAN. How do you interpret the language in the legislation which limits entry to only that needed for propagation purposes? Just how is that limited now? Does that mean that none of it can be sold as nursery stock to the public?

Mr. WHITE. That particular limitation, which was originally included in regulation 14 of plant quarantine 37, limited the actual numbers of any particular item of nursery stock which could be imported under a special permit to that actually needed for propagation purposes. The reason for that was this: European countries, like ours, through hybridization, selection of varieties, one thing and another, are producing new varieties, new strains of trees, shrubs, and plants of all kinds. It is desirable, I believe, that this country, as well as other countries, of course, be constantly supplied with these new varieties in very limited quantities, so they would get into propagation and distribution if, after testing, they are proved to be desirable plants for us to have in our agricultural economy here. It is not necessary to introduce large quantities for testing purposes. If we do import large quantities we increase the pest risk, as I pointed out in my testimony.

There was a long list of plants specified by name with a number after them designating what the quantity limit was. For example, I think we could import 200 finished roses of a new variety. As to the practical aspects of the procedure, we would ask for a permit from the Department of Agriculture, which would be granted under certain regulations. These 200 roses would come in to us, they would be inspected at the port of entry, they would be reshipped to our nursery, we would plant them out there under a label and well staked, the Department of Agriculture and State department of agriculture people inspecting them throughout the growing season to be sure they were not introducing a plant pest, and after they were found not to have any plant pests they would be released, and then we would start to propagate, and only until then.

The CHAIRMAN. If I understand you correctly, the enactment of this legislation would prohibit the importation of any nursery stock for resale to the public.

Mr. WHITE. That is correct; it would prohibit immediate resale to the public.

The CHAIRMAN. Do I understand you to say that that was the effect of the regulations which were in effect prior to the changes that the department made based on the opinion received from the Solicitor?

Mr. WHITE. That is correct.

Mr. POAGE. Mr. Chairman, may I ask the witness how this would affect importations of nursery stock for the importer's own use? You say it would prohibit sale to the public. We have had a great deal of trouble trying to get some mulberry trees into Texas. We can't buy those trees from any of you nursery people in the United States. If we could we would. We do know where we can buy trees but we cannot get them in. They told us that some time in the future they are going to have an inspection station in Florida and let them come in, but in the meantime we have got to go to New York City and the trees lay there so long they die, before we get them.

Mr. WHITE. I do not think this bill would alter that situation, Mr. Poage. There is no reason why you, as a citizens of the United States, could not ask the Department of Agriculture for a permit.

Mr. POAGE. Of course they have got to be inspected.

Mr. WHITE. They have got to be inspected, just like our imports have to be inspected.

Mr. POAGE. By the time they have gone to New York and laid there for two or three weeks they are dead by the time we get them.

Mr. WHITE. We have the same trouble, sir. Of course we are in a little better position than you people are who are interested in mulberry trees, because we have greenhouse facilities to take care of the plants and bring some of them through. This bill would not prevent individuals from asking for permits and being granted permits.

The CHAIRMAN. That brings up the next question I was going to ask. Would it prohibit an individual who had use for large quantities of nursery stock from importing it directly in the event he simply wanted to set out the stock on his own premises?

Mr. WHITE. He could import, Mr. Chairman, up to the quantity limits that we could import as commercial nurserymen. That limit, of course, must be determined by the Secretary of Agriculture after he surveys the situation, after he has public hearings and determines what the pest risk is. If he laid down a quantity limit for a specific item of 200, any individual in this country as a citizen could ask for a permit to import the full quantity limit of 200 plants.

Mr. POAGE. You understand we want 80,000 mulberry plants. We do not want them to propagate, we want to put them out into the ground, we want them to grow, we want to get the leaves off of them.

Mr. WHITE. I think you better ask that question of somebody from the Department of Agriculture.

Mr. PACE. May I ask a question?

The CHAIRMAN. Yes.

Mr. PACE. Mr. White, on the question the chairman asked you, if I, as an individual, wanted 200 plants—say the limitation was 200—to put on my own place, what would happen?

Mr. WHITE. Let me answer it the way the Department of Agriculture has answered it. They would define "propagation" in such a way that it would cover not only the increase in number by ordinary methods of propagation, such as budding, grafting, taking cuttings and rooting them, but would also include the mere fact of growing it on.

Mr. PACE. Include what?

Mr. WHITE. Just growing it on as it came into this country.

Mr. PACE. Do you have with you the official definition of the word "propagation" by the Department under the present regulations?

Mr. WHITE. No; I do not, sir.

Mr. PACE. Maybe I am not familiar with the technical definition of the term "propagation," but I expect it means to develop an increase in number, and so forth.

Mr. WHITE. That is right.

Mr. PACE. Unless the regulation does say so, I cannot see how, in any circumstances, my simply receiving 200 plants for my own pleasure, with no idea of overdeveloping or increasing the number, would be termed as propagation.

Mr. WHITE. This interpretation, Mr. Pace, has been given to me unofficially by the Bureau of Entomology and Plant Quarantine.

Mr. PACE. It seems to me definitely, under existing laws, there should be a rather specific interpretation of that.

Mr. WHITE. There is an official of the Bureau here, if you would like to question him and get the information from him directly.

Mr. PACE. I will wait for it. Under the law that you desire here, taking, for example, the new rose "Peace," which I presume was in the quantity of roses you had shipped in—

Mr. WHITE. I beg your pardon, the Peace rose was brought over here under a limited-quantity permit. A small quantity was introduced in this country several years ago for trial purposes, and since then it has proven so well that it was named "Peace."

Mr. PACE. Aren't you mistaken about that? I understood the first Peace rose came into this country about 3 years ago.

Mr. WHITE. That is what I said.

Mr. PACE. It had already been named in France.

Mr. WHITE. That is correct.

Mr. PACE. I thought you said it was named after it came here.

Mr. WHITE. The name was changed. It was named "Peace" in this country. The name in France was another name, which I would not attempt to give you because of its French pronunciation.

Mr. PACE. The point I was making, under this law it would be 10 or 15 years before the people in this country would have an opportunity to buy the Peace rose in any quantity.

Mr. WHITE. If you got the Peace rose under the present situation, because it was introduced here under the limitation which prevailed prior to the war.

Mr. PACE. I would not take issue with you on that.

Mr. WHITE. I am very familiar with that particular situation, because Mr. Pyle, the introducer, gave me that information.

Mr. PACE. It is my understanding the Peace rose was not fully developed or brought into this country until 3 years ago. It is a war baby.

Mr. WHITE. You are correct about it. There is no argument about it. Two hundred plants, or whatever the limit was, of the Peace rose were brought in here, and then it was propagated in this country.

Mr. PACE. You cannot propagate it that fast to get it down in my country. It takes us 10 to 15 years to ever get a new plant down there, because the demand in the East is so great that it takes up the supply. Like now, I wanted four Peace roses, but I could not get them.

Mr. WHITE. They can be propagated awfully fast when they get busy.

Mr. POAGE. On the same thing you are all talking about here, I understood you to tell me it was your understanding that this could not affect private individuals who wanted to buy plants for their own use. As I read this thing, it reads perfectly plainly that the Department shall limit the entry of nursery stocks or bulbs from foreign countries "to that needed for propagation purposes." I then ask you about the mulberry trees. We do not want them for propagation purposes, we want them for silkworm feed. You cannot sell them, you or anybody in the United States, because you do not have them.

Mr. WHITE. That is right.

Mr. POAGE. We can buy the stock from certain foreign countries and we feel we ought to be allowed to bring them in and use them. We are not trying to sell them; we are not in the nursery business; we are not trying to sell anybody mulberry trees. You understand we can bring them in, but the bill says in English language that those of us who

have not studied diplomacy can understand, and it says we shall limit the entry of nursery stock to that needed for propagation purposes. We do not want any mulberry trees for propagation purposes. Under what theory then can we get mulberry trees into the United States if we pass this bill?

Mr. WHITE. Isn't the answer to your question, sir, a definition of what constitutes propagation in the view of the Department of Agriculture?

Mr. POAGE. I think it is perfectly plain that the Department of Agriculture should put the same interpretation on it that the ordinary man puts on it. Certainly we do not want to propagate the trees, we want to grow the trees and strip the leaves off of them. We are not trying to sell the trees. Propagation, as I understand it, is to produce more trees, to grow the trees, and sell new trees. That is the nursery business. We are not in the nursery business. We haven't any idea of selling trees, but we do want the leaves that those trees grow and we want them as fast as we can get them. It seems as if the Department of Agriculture has done everything it could to keep us from getting them, and I think the nurserymen of the United States are doing everything they can to keep us from getting them. I think there has been a rather widespread determination on the part of the people who are now in control of the nursery business in the United States to see that nobody else gets something new in here. If you folks would get them and sell them to us we would buy them from you, but you do not offer them for sale to us and we cannot buy them from you. Neither the nursery industry nor the Department of Agriculture has shown any interest in the world in helping us to develop a new industry. They have both apparently done everything possible to keep us from building a new industry. I wonder if this bill is another attempt to keep us from building a new industry?

Mr. WHITE. Mr. Poage, I cannot speak for the Department of Agriculture but I can speak, I think, for the nursery industry. The first indication I had of your people wanting mulberry trees was when I was informed by the State plant board people in Florida that mulberries were coming in through Miami and were then going to be transferred to come in through a port of entry in Texas, Laredo, I believe. They are coming in now, I believe. Then the silk people in Texas were informed about S. 338.

I was also informed that the mulberries coming into the port at Miami were infested with a weevil of some sort and that fumigation had to be done, and so they were transferred to the port of entry at Laredo, Tex.

Now, I have never done anything to try to keep your people from getting mulberries from that source, and I am sure the nursery industry officially hasn't done so. Maybe some nurseryman has. I also know it is a fact that the Verhalen Nursery Co. in Scottsville is doing a lot for the mulberry people in Texas now, which will be available next year. I got that information from this concern in Scottsville, Tex., which has been given the seed at least of the desirable variety of mulberry which the silk people want. He tells me he is growing thousands, and thousands, and thousands of them for the silk interests at Rockwall, which will be available for distribution next year. We did not have them before this year, I perfectly agree with you 100 percent.

Mr. POAGE. Don't you agree if we keep "for propagation purposes" in the bill it would keep everybody from bringing any mulberry trees in for their own use?

Mr. WHITE. Not according to the definition of "propagation" which was given to me unofficially by the Bureau of Entomology and Plant Quarantine.

Mr. PACE. As far as I know, the Department has no official definition of "propagation". They construe it to suit their convenience.

Mr. WHITE. That is right.

Mr. POAGE. You better use a word that makes it more plain.

Mr. ANDRESEN. I am interested in the gentleman's statement about getting mulberries for producing silk. The gentleman knows something about the silk industry in Japan. Does the gentleman think we can develop it in this country in competition with Japan?

Mr. POAGE. It depends entirely on labor costs. The people at Mineral Wells claim they have machinery that will do the work of 20 girls who are experience in this work. I have seen the machinery operate. Whether it does the work of 20 girls or not I cannot tell. They have got a big factory building up there and have spent much of their own money relying on it. It looks to me like they must have something to it but I am not a stockholder and I am not selling stock. As far as growing silk is concerned, I am entirely satisfied we can do it as well as Japan. As far the labor is concerned, if we have machinery that can do the work that is done by hand then we can compete with Japan even from the standpoint of cost.

Mr. ANDRESEN. The gentleman doesn't feel that the development of the silkworm will interfere with the International Trade Conference?

Mr. POAGE. I would not think so.

Mr. PACE. In that connection, the gentleman from Minnesota understands the State Department said if this bill passed it would shake the peace of the world.

Mr. ANDRESEN. In connection with bulbs in the Senate bill, I understand that provision interferes with the International Trade Conference. It has been suggested if we remove the bulbs it would put the Conference back on its feet again.

The CHAIRMAN. Mr. White, just to conclude on this question of the meaning of the word "propagation", as I understand your explanation as to what the Department would do, it would be to limit the quantity that could be imported at any port. The Department would not follow the shipment up and see that it was actually used for propagation purposes, or compel the importer to furnish the proof that that was the purpose, but they would limit the quantity that any importer could bring in, is that correct?

Mr. WHITE. They would do two things, Mr. Chairman. They would limit the quantity to an actual number, which would be determined after a hearing, and in addition to that the Department of Agriculture, with the cooperation of the State regulatory people, or their department of agriculture, would inspect this material until they were sure that those limited quantities were free of plant pests.

The CHAIRMAN. Yes. It would be a numbers limitation.

Mr. WHITE. That is right.

Mr. GROSS. May I ask the gentleman a question?

The CHAIRMAN. Yes.

Mr. GROSS. What you are after is to bring in some foundation nursery stock?

Mr. WHITE. That is correct.

Mr. GROSS. For a few nurserymen, to test, develop, and perfect, and give to the public.

Mr. WHITE. That is correct, sir.

Mr. GROSS. That is your purpose and your proposition?

Mr. WHITE. That is right.

Mr. BRAMLETT. Mr. White, on page 7 and page 10, getting back to bulbs just a moment, the only reason you have for keeping the bulbs out of this bill is that it is a reiteration. There is no other reason that I see in the paper, just simply that it is already in the act, so why put it in.

Mr. WHITE. That is correct.

Mr. BRAMLETT. Then why oppose it?

Mr. WHITE. We oppose it on a very practical basis. S. 338, as it was originally introduced, was widely publicized in this country through the trade press. It received no opposition with the exception of the opposition from the silk interests in Texas, which I think were finally satisfied that they could still get their mulberries. On the basis of the lack of opposition to the bill, the Senate did not even hold hearings on it before its committee, and it was reported favorably with the amendment, and then was passed by the Senate. Immediately tremendous opposition developed to the bill.

Now we oppose the inclusion of the bulbs on that basis, because, at the present time, under the present situation, American agriculture, horticulture, and forestry are exposed to the danger of being ravaged by further infections of plant pests which may come in in unlimited quantities on nursery stock. We do not want to be even slightly responsible for any more damage to the American agricultural economy from some plant pests, either insect or disease, that might be brought in on nursery stock. We fear that this legislation is jeopardized if the word "bulb" remains in the bill and we will have no bill, and we may go through another year, or even 2 years, before we get even the protection we had before the war. On the basis of getting the majority at least, and I think probably 90 percent of the pest risk taken care of by the bill as originally introduced in the Senate, or by Mr. Hope's bill, H. R. 2950, we would prefer to sacrifice the other 10 percent which may be included in bulbs and take the 90-percent protection to our agricultural economy. It is on that basis that we oppose the introduction of bulbs into this bill.

Mr. HOEVEN. Mr. Chairman.

Mr. CHAIRMAN. Mr. Hoeven.

Mr. HOEVEN. Mr. White, I am particularly interested in this amendment as it relates to bulbs. I agree with you that section 5 of the act of 1912 in itself is sufficient and there is no need for the Senate amendment. I, for one, hope that that amendment may be stricken from the bill. I would like to ask you who is pushing this amendment to include bulbs in this bill.

Mr. WHITE. Mr. Hoeven, I have heard it is the Croft Lily Growers in the State of Oregon.

Mr. HOEVEN. I understand that is where the agitation arises.

Mr. WHITE. That is my understanding.

Mr. HOEVEN. I am particularly interested in the Dutch tulip bulbs. Will you tell us about the pest risk involved in importing those bulbs?

Mr. WHITE. No; I could not, sir.

Mr. HOEVEN. As I understand it, there is very little, if any, pest risk involved.

Mr. WHITE. That probably can be confirmed by some of the plant entomologists in the Department of Agriculture. I could not answer your question.

Mr. HOEVEN. I am somewhat in the same position that Mr. Poage is in. I represent a large Dutch constituency and my people plant imported Dutch tulip bulbs by the thousands. They have been imported from Holland for years and years. In fact it has gotten to the point that we now have large tulip festivals in Iowa. There are places in the State of Michigan where people have also imported thousands of these fine, select tulip bulbs, not for the purpose of sale, but are ordered at cost through some commercial club or central agency. They are planted in lawns and gardens, and on set days each year they have their tulip festivals. In my opinion, if this bulb amendment is put in the bill this kind of a program is going to be very seriously retarded. People simply are not going to be able to purchase these bulbs as they have heretofore.

I thoroughly agree with the gentleman that under section 5 of the act of 1912 we already have plenty of legislation to take care of the situation, and if these bulbs pass the quarantine inspection at the port of entry they should be permitted to come in. There has been no serious pest risk, as I understand it. I see no necessity for any amendment relating to bulbs.

Mr. ANDRESEN. I agree with the gentleman, but I think it ought to work both ways. Holland, Belgium, and Luxembourg have formed a customs union and recently they have put on an import duty on flour from this country at 3 percent of its value. Of course I know they have filed a protest against having bulbs included in this legislation, but it occurs to me that the Dutch and the others over there who are placing an import fee on flour should show a little reciprocity and permit the flour to come to their countries without this import fee and that we let their bulbs come into the United States.

Mr. HOEVEN. I agree with the gentleman. I have no quarrel about that. We are talking here about legislation that involves a pest risk, which certainly does not pertain to flour.

Mr. ANDRESEN. No; it does not, but this reciprocity should work both ways.

Mr. HOEVEN. I agree with you.

The CHAIRMAN. Mr. White, getting back to the language of the bill, if we should delete from the bill the language which limits the amount of nursery stock that may come in to the amount that may be needed for propagation purposes, then what change would there be in the present law?

Mr. WHITE. As I see it, Mr. Chairman, if that phrase is eliminated from the legislation it will merely throw upon the Secretary of Agriculture the job of determining on what basis he is going to limit. We think he ought to have some basis written into the law so it will be consistent over a period of years.

Mr. POAGE. Why should it be limited at all if it is disease free? Of course we all recognize the importance of protecting against dis-

ease, but if I want to bring in 6 mulberry trees or 600 why should not I be able to bring in those 600 if they are free of disease?

Mr. WHITE. That is a very fair question, sir, and there is no reason why they should be limited. That is the purpose of the public hearings, to determine what the limit should be, to determine what is the pest risk. If, after public hearing, it is determined by the Secretary of Agriculture on any particular item there is no pest risk there will be no limitation, but if it is determined that there is a pest risk there will be a limitation.

Mr. POAGE. Then what would you say about my mulberries, Mr. White?

Mr. COOLEY. Stop beating around the mulberry bush.

Mr. POAGE. We grow mulberries in the United States. It is just a question of picking the variety. We want the broad-leaf variety. I assume that the pests that eat the one variety probably eat the other. I realize anything you bring in from a foreign land may bring a pest in with it, but as far as actually adding to the pests we have in the United States, we have them already on mulberries.

Mr. WHITE. I was informed that this weevil I spoke about was a new pest.

Mr. POAGE. If you grow cotton in the country a long time you can develop cotton insects there, that you did not have when you did not grow cotton. That is what happens when you grow any substantial amount of it, or any other plant. What I am saying is on the mulberry tree it is already widespread over the United States. It might be that in substantial orchards you develop pests that already exist somewhere else in this country. If the bugs had to hunt a mulberry tree here and yonder they might not do so well, but whatever variety you brought in, the broad leaf or any other variety, it would not support the pest that is not supported by the native mulberry.

Mr. WHITE. It could very well. In fact, the variety you are bringing in may be more seriously affected by one of the native pests. The general rule has been that pests imported into a new territory by artificial means immediately become epidemic in character, because their natural enemies are not introduced with them. In their natural lands they establish a balance. We have sections in New Jersey right now where the Japanese beetle is no longer a pest because natural enemies have come in and they struck a balance in nature, but there was a period when the Japanese beetles have been 25 years in reaching that adjustment. Eventually adjustment, we hope, will be reached in all of these sections.

Mr. COOLEY. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Mr. Cooley.

Mr. COOLEY. The very purpose of the language referred to a moment ago by the chairman, that related to propagation purposes, was placed in the bill for the purpose of limiting the importation of bulbs, wasn't it?

Mr. WHITE. No, no. Bulbs were not mentioned in this bill originally.

Mr. COOLEY. Nursery stock.

Mr. WHITE. Nursery stock; that is right.

Mr. COOLEY. It would be now applicable to bulbs the way the bill is drawn?

Mr. WHITE. Yes; it would.

Mr. COOLEY. Do you think that this committee would be justified in reporting a bill of this kind in opposition to the State Department, the Commerce Department, and Department of Agriculture of our own Government, all three Departments agreeing that this bill was in contravention of reciprocal trade treaties now in existence and those hereafter to be made? We have a letter here from the State Department in which the State Department says it is "in direct contravention of the principles of the foreign trade policy which the United States has been following for many years, a policy which a substantial majority of the Congress has repeatedly upheld. The phrase in question, moreover, would be distinctly contrary to the spirit and intent of the charter of the proposed International Trade Council, and adoption of either bill in its present form would seriously weaken the position of the United States representatives taking part in the current discussions at Geneva relating to the proposed ITO." That is in the letter from the Secretary of State, and in substance the letters from Commerce and Agriculture are the same.

Mr. GRANT. Will the gentleman yield there?

Mr. COOLEY. Yes.

Mr. GRANT. Isn't this for pest control only?

Mr. COOLEY. No, it is not. You are not seeking to limit only because of pest control, you are seeking to limit the quantity that comes in. That is the purpose of it, isn't it?

Mr. WHITE. Mr. Cooley, the purpose of this bill, as we would interpret it and I think as the original people had introduced it—let us go back to the Seventy-ninth Congress when Senator Thomas introduced the bill on the Senate side and Mr. Flannigan introduced it in the House—it was purely on the basis of the pest risk involved—pest control. We are not interested in using this bill to quarantine anything of any nature as a protection to our industry. We do not need it. We can compete on the world market. But we do need this pest control.

Mr. COOLEY. Would you say our present pest control measures are inadequate?

Mr. WHITE. We believe they are, yes, sir.

Mr. COOLEY. Just to show you how much they are on the job, my colleague, Mr. Poage, and I came from Istanbul, Turkey, recently, landed at the National Airport with two cherry trees and two peach trees, and no one knew they were in the plane until the plane left Istanbul. Before we were able to get them off the Department of Agriculture people came and seized them and sent them out to Beltsville and we will have to wait to see what happens to them. I don't see how it would be possible to get anything in here in violation of the measures we now have on the books if our Department is alive to that extent, if they can go to the airport and grab four little bushes off the plane as soon as it comes in. They have got them in Beltsville under quarantine now. I hope I can get them back this fall.

If the Department isn't on the job and you need some further legislation for inspection alone, I am for that. I might say some of the best friends I have in the world are engaged in the bulb business and nursery business on a large scale, but I am not going to jeopardize the possibilities of reviving world trade when I realize how important it is to our country.

Mr. WHITE. May I answer your question?

Mr. COOLEY. Yes.

Mr. WHITE. You say you had one peach and one apple tree?

Mr. COOLEY. I had two peach trees and two cherry trees.

Mr. WHITE. If you had four rose bushes they would not take them away from you.

Mr. COOLEY. Why?

Mr. WHITE. Because roses are not limited in any way whatsoever at the present time, under the present regulations. If you had four samples of any kind of ornamental shrub, without any soil on the roots, they would not have taken them away from you.

Mr. COOLEY. Without soil on the trees they would not have taken the trees away from us, I suppose.

Mr. WHITE. Yes; they would. Fruit nursery stock is limited under another quarantine, but the ordinary run the ornamental plant material is not limited in any way whatsoever.

Mr. COOLEY. Another matter in this letter is to the effect that the Netherlands is one of the countries hit hardest by the war. Last year they imported about \$222,000,000 worth of goods from the United States, consisting largely of foodstuffs, transportation, industrial equipment, machinery parts, cotton, tobacco, petroleum, timber, and so forth, and its imports must continue for some time to come from this country. They must be paid for in dollars, which for the present is provided mainly through loans. Then it goes on to refer to the fact that the Netherlands, Belgium, and Luxembourg are the world's third largest trading area.

It seems to me all of us should have a vital interest in world trade and we ought not do anything that would jeopardize it in the early days after the war period.

Mr. WHITE. The importation of nursery stock is fraught with danger in one important aspect; that is, the group of diseases that are known as virus diseases. The plants have to be grown and inspected throughout the growing season to be sure they are disease-free. We know there is a disease of roses in Italy, Australia, and New Zealand known as rose wilt. They would be brought in here at the present time in unlimited quantities. If that wilt disease is present, which it is apt to be, we immediately would have an outbreak of disease here. Out in Tyler, Tex., the biggest rose section in the world, and in the Northwest where they grow a lot of roses, they would be wiped out next year, and it would clean out the rose industry.

Mr. COOLEY. Do you have any indication that that danger exists?

Mr. WHITE. Yes; there is plenty of indication of that, not only from our past experience. I just brought down an article by a man named Dr. Hunt, now retired from the Department of Agriculture, written in December last year, entitled "Destructive Plant Diseases Not Yet Established in North America." I don't know how many pages he has got on the diseases existing in Europe and foreign lands which we do not yet have in this country.

Mr. COOLEY. Have you had any destruction occur in this country as the result of those diseases?

Mr. WHITE. Of the diseases listed here?

Mr. COOLEY. Yes.

Mr. WHITE. No; these are the ones we haven't had yet. We have had plenty of losses from diseases which we had imported previously,

like the white pine blister rust, the Dutch elm disease for which we appropriate money every year, the Japanese beetle, the oriental fruit moth that came in on nursery stock either prior to 1912 or prior to the enactment or the promulgation of plant quarantine 37. They all slipped through the bars and that was in spite of the plant quarantine 37.

Mr. ANDRESEN. How about the Mediterranean fruit fly? How did that come in?

Mr. WHITE. I am not foolish enough to guess as to how it did come in. I do not think anyone knows.

The CHAIRMAN. We have heard talk around Washington that they never did come in.

Mr. WHITE. I have heard the same thought expressed, that the trouble they had in Florida was not due to the Mediterranean fruit fly at all.

Mr. COOLEY. I have had information to the effect that bulbs that came in from the Netherlands were taking an unfair position in our own market and they were able to undersell the local producers. Do you know what that situation is?

Mr. WHITE. No; I do not. I have no idea.

The CHAIRMAN. Let me ask you one more question, Mr. White, as to the language of the bill itself. As I understand it, you want the language "for propagation purposes" in there, as a yardstick for the Secretary to use in determining to what extent he will limit the entry of nursery stock, is that correct?

Mr. WHITE. That is correct.

The CHAIRMAN. If you took that out he is still authorized to limit the entry of nursery stock.

Mr. WHITE. That is correct.

The CHAIRMAN. You contend also, as I understand your statement, that under the opinion of the Solicitor from the Department under existing legislation there is no authority to restrict the number of plants that may be brought in by any permittee.

Mr. WHITE. That is right.

The CHAIRMAN. So even if you left out the language "needed for propagation purposes" it would still give the Secretary power that he does not have now; that is, the power to impose a limitation upon the quantity.

Mr. WHITE. That is correct.

The CHAIRMAN. That is all.

Mr. ANDRESEN. Mr. Chairman.

The CHAIRMAN. Mr. Andresen.

Mr. ANDRESEN. On the point that Mr. Hope has raised, as long as no definition has been officially made on "propagation purposes," the Secretary could let in an unlimited number for propagation purposes.

Mr. WHITE. Yes; he could. It is his determination to arrive at what quantity limits he is going to impose.

Mr. ANDRESEN. If you strike it out then it would place the authority in the hands of the Secretary and it would be within his discretionary power to place a limit on the amount of nursery stock that comes into this country.

Mr. WHITE. I think you are correct.

Mr. COOLEY. But it will be entirely discretionary with him.

Mr. WHITE. Yes; with the Secretary.

Mr. COOLEY. As long as she had that discretion it is reasonable to believe that he would not exercise it in a manner which would contravene any existing trade agreements.

Mr. WHITE. I think that is a fair statement; yes, sir.

Mr. ANDRESEN. If nursery stock is permitted to come in for propagation purposes, wouldn't it be well to put a definition in the bill as to what is meant by "propagation purposes" rather than leave it discretionary with the Secretary?

Mr. WHITE. Yes; we might go all the way and define "propagation purposes."

Mr. ANDRESEN. Standing as it does now in the Senate bill it really doesn't mean a great deal, if we leave that clause in the bill.

Mr. WHITE. That is, unless the term "propagation" is also defined; is that your point?

Mr. ANDRESEN. That is the point.

Mr. WHITE. Well, as a former horticulturist I would agree with Mr. Poage that propagation is for increases—or maybe Mr. Pace raised that question. I will agree that the generally accepted definition of the term "propagation" means to increase. But he does not want to increase his mulberries, so under the generally accepted definition of the term "propagation" he cannot get in these large quantities.

Mr. ANDRESEN. Would you think bringing in 100,000 mulberry bushes would be for propagation purposes and would come within any definition of discretionary authority that the Secretary may have?

Mr. WHITE. Well, if they followed the unofficial definition of "propagation" which has been given to me, that is for merely planting and growing on, I would say "Yes," but that is not official, as has been brought out.

Mr. PACE. Mr. Chairman.

The CHAIRMAN. Mr. Pace.

Mr. PACE. Mr. White, this bill brings up a situation that is very interesting to me. The State Department states in a letter to the chairman of this committee that—

the phrase in question—that is, "to that needed for propagation purposes"—would be distinctly contrary to the spirit and intent of the charter of the proposed International Trade Organization.

Now, as I understand, our country now has its representatives in Geneva to negotiate, I should say probably formulate, this International Trade Organization. From the attitude taken here by the State Department it would appear that that agreement is going to be superior to any rights or authority of the Congress to enact legislation of this character, and that, in effect, the International Trade Organization will be a supergovernment, and that any agreements provided in the organization charter itself, or any agreements made under authority of its charter, will be superior and transcend the authority of the representatives of the people of this Nation to legislate on those subjects. I do not think there is any doubt about that, in the light of the statement made here by Mr. Dean Acheson, Acting Secretary of State at the time, that this—pardon me for saying it—rather simple piece of legislation to try to protect the welfare and interests of one segment of our population—that is, to protect them against the ravages of foreign pests through setting up reasonable standards to guide

the Secretary of Agriculture in the enforcement of the act—is in violation of the spirit and intent of this Organization which they are now about to formulate and submit to the Congress for approval.

Mr. COOLEY. Mr. Pace, will you yield for one brief statement?

Mr. PACE. Let me get through. It appears once, if ever, that Organization has the approval of the Congress of the United States, then all matters of this kind, and necessarily thousands of others affecting the welfare of every farmer and every businessman in this Nation, will be taken over by this Organization. There will be a superior authority in charge of the operation of the International Trade Organization. I am wondering if you think that is in keeping with the traditional American freedoms and a traditional policy of the American people to try to protect ourselves.

Mr. COOLEY. Before he answers will you yield?

Mr. PACE. No, no.

Mr. COOLEY. You are not fair to the Secretary in the interpretation you place on the letter. .

Mr. PACE. I am not unfair to anybody. I have merely read the words of the Acting Secretary of State.

Mr. COOLEY. You did not say what he said.

Mr. PACE. I will read it again.

The CHAIRMAN. Let him finish that thought.

Mr. PACE. I will read it again.

The phrase in question "to that needed for propagation purposes" would be distinctly contrary to the spirit and intent of the charter of the proposed International Trade Organization.

I cannot assume that reading the words of a man is being unfair to the man. The rest of the words were mine.

Now as a business man and as a nurseymen, do you think it is a healthy situation for us to establish here a super trade government whereby the representatives of the American people will be prevented from acting in accordance with their best judgment and to their best interest?

Mr. WHITE. I am not familiar, Mr. Pace, with the ITO charter, but I am wondering if the spirit and intent of this charter which the Under Secretary of State speaks about goes so far as to prohibit a country from protecting its own agricultural resources against the indiscriminate introduction of plant pests.

Mr. COOLEY. That was my objection to his interpretation.

Mr. WHITE. I am not familiar with the charter. You understand I was just asking that question to get information.

Mr. PACE. You insist that the language "to that needed for propagation purposes" is not an unreasonable restriction on controlling plant pests entering into this country?

Mr. WHITE. No; I do not think it is unreasonable, Mr. Pace. In my opinion, and in the opinion of my industry, that is the only reasonable way by which these plant pests and insect pests can be comparatively well controlled.

Mr. PACE. Then under this super-government, the International Trade Organization, even if it yields to the Secretary of State of this Nation, or whoever might be the head of the International Trade Organization, whatever nationality he might be, they would have the right to interpret what is or what is not a violation of that charter, would they not?

Mr. WHITE. I do not think so.

The CHAIRMAN. Let the Chair suggest that he does not want to prevent anybody from asking questions on this subject since it has been raised, but we have 25 or 30 witnesses to be heard in the space of 2 days.

Mr. COOLEY. I would like to say about two things. As I understood these letters—and I read them rather hurriedly—neither one of the Departments had any objection to any reasonable way to protect the industry from diseases and insect pests, but the objection is to giving the Secretary the right to limit the importation of the commodity with which we are dealing. The trouble is you place one interpretation upon that phrase and the Department places another interpretation upon it. Is that right?

Mr. WHITE. It seems to have developed that way. I did not know it was going to do that. I also want to point out, Mr. Cooley, we are not interested in protecting only our industry. These pests that have been brought in previously on nursery stock have gone to the white pine timber stands all over the country. They have wiped out the chestnuts. The Japanese beetle is affecting a lot of hosts and causing millions of dollars of damage. We are not arguing only for our industry, we are arguing for all American agriculture, horticulture, and forestry, to limit it in some way—and as we see it to go back to the prewar status—to limit it in some way so our agricultural resources will at least receive the protection they did before the war.

Mr. POAGE. You crossed me up here. You say you want to limit importations only to protect from pests. I agree with you, we want to limit every kind of importation, to protect the country from bringing in insects or any other kind of pests. They when you limit it to propagation purposes—that is the proposition that Mr. Pace asked you about there—you said that is what you intended to do, was to limit it to those who were bringing it in for breeding or propagation purposes. If that is the proposition, then I am against it. I want to know whether it is your intention here to keep those of us who want to buy plants that we cannot buy in the United States for our own use from doing so, whether you want to keep us from bringing them in. I agree they should be subject to exactly the same sanitary and insect control that any other plants should be subject to, but I am talking about after it is determined they are not a danger to us from an insect standpoint, then I want to know if you propose to keep them out simply because they are not going to be used for propagation purposes.

Mr. WHITE. No.

Mr. POAGE. Then have you any objection to striking out of the bill the provision that limits it for propagation purposes?

Mr. WHITE. I was going to make a suggestion. As far as our industry is concerned, while we would like to see it in there because it gives the Secretary of Agriculture a statutory basis on which to act, we would be perfectly willing to take it out and depend on the discretionary powers of the Secretary of Agriculture, because we think at least he will be fair right across the board.

Mr. MURRAY. Mr. Chairman.

The CHAIRMAN. Mr. Murray.

Mr. MURRAY. Just to get back for a minute to how much the small and big bureaucrats that are on the Federal pay roll have to say about

what legislation is passed, I ask unanimous consent to include at this point in the record the provision of law which defines it, so far as legislation is concerned.

The CHAIRMAN. Without objection, that may be inserted in the record at this point.

(The matter referred to is as follows:)

No part of the money appropriated by any Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers and employees of the United States from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

Any officer or employee of the United States who, after notice and hearing by the superior officer vested with the power of removing him, is found to have violated or attempted to violate this section, shall be removed by such superior officer from office or employment. Any officer or employee of the United States who violates or attempts to violate this section shall also be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than \$500 or by imprisonment for not more than one year, or both. (July 11, 1919, ch. 6, sec. 6, 41 Stat. 68; 18 U. S. C., 1940 ed., sec. 201.)

Mr. HOEVEN. Just one question, Mr. Chairman.

The CHAIRMAN. Mr. Hoeven.

Mr. HOEVEN. In view of your statement that you were ready to drop the phrase "to that needed for propagation purposes," what is the necessity of this bill?

Mr. WHITE. The necessity of the bill, Mr. Hoeven, is the Secretary, under the present situation, has no authority whatsoever to limit the importation of nursery stock, on the basis of this solicitor's opinion. By taking out that phrase "to that needed for propagation purposes" he will still be given authority to limit, but how he will limit will be discretionary with him rather than being determined for him by the act of Congress.

Mr. HOEVEN. That is the only additional authority he would get?

Mr. WHITE. That authority, and the authority to require us to grow this material under post-entry quarantine, so it can be inspected for 1 or 2 years before it is released, to be sure it is free from pests or diseases.

The CHAIRMAN. Are there any further questions? If not, we thank you, Mr. White. Perhaps you want to suggest the order in which witnesses for the bill should appear.

Mr. WHITE. I have one member of my organization, Mr. Hope, and that is Mr. Meehan, who is chairman of one of our quarantine committees. He would like to be heard for 2 or 3 minutes, and then I would suggest Mr. Thatcher.

STATEMENT OF ALBERT F. MEEHAN, CHAIRMAN, QUARANTINE COMMITTEE, AMERICAN ASSOCIATION OF NURSERYMEN

Mr. MEEHAN. My name is Albert F. Meehan of Dresher, Pa. I am chairman of the quarantine committee of the American Association of Nurserymen. I am also secretary of the Pennsylvania Nurserymen's Association. I have been in the business for practically all my lifetime, and my father and grandfather before me.

I have a little history on the insect pests and diseases. I do not have to go into it very far. I just want to mention a few things.

As a youngster I remember my father and grandfather speaking of the San Jose scale. That goes back to my childhood. As a boy I remember the damages of the chestnut blight. As I got into business I found out what the cost was of trying to comply with the United States regulations to prevent the spread of the San Jose scale. In our business, the building of buildings and fumigation boxes where all the material would be shipped out had to be fumigated with hydrocyanic acid before it could be shipped all over the country.

Then in rapid succession—I am not sure just what succession they came in—were the various other plant pests and diseases from foreign countries, such as the white pine blister rust, the Gypsy brown tail moth, the Japanese beetle, the European corn borer, the Dutch elm disease, and many others, all of which have taken a toll in expense and nursery trade, not only the costs in complying with the various regulations, but also the curtailment of business on account of the fact that people in some other parts of the country would be afraid to buy stock from a nursery in a part of the country where one of these insect pests or diseases was located.

I notice the Dutch elm disease was found right here in Washington yesterday, as I read in the paper. These pests do not stay on nursery stock, they travel from one type of horticulture, agriculture, and forestry to another. Many of these pests are more dangerous to forestry and agriculture than they are to the nursery business.

But that is the situation, and we in the East are the first to feel the ravages of these various pests, because they usually come through the port of New York, or Philadelphia, or Baltimore, somewhere along the Atlantic coast.

It is rather hard to determine just what this cost has been. We have figures—I haven't them with me but they are easily procurable—of what the Congress has appropriated to the Department of Agriculture for the control and prevention of the spread of these various pests, and it is running into the millions of dollars. Every State, when this pest reaches it, is up against the same proposition of thousands and running into the millions of dollars of control. Right in Pennsylvania, with the small infestation of the Gypsy and brown tail moth, you find the appropriations of the Pennsylvania Legislature have been considerable in trying to eradicate this small section up around Wilkes-Barre and Scranton of this brown tail and Gypsy moth. So we know what the situation is, we know what the danger is, we know what the danger has been, and we know what it has cost to the public, not only to ourselves but to the public, through governmental and State appropriations.

Now what we would like, and what we would want to do, is to prevent, as far as possible, the importation of any more of these pests. We know throughout the world there are very many of them that we have not had here, and that we do not want here. I do not think there is anyone here who would want to import any particular amount of any stock if he felt, or if he realized just what danger he was going into in making that importation. A small importation that may only be worth \$50 or \$100 could bring damage to this country in its agricultural, horticultural and forestry resources of millions of dollars. We know that to be a fact, we have had the experience, and why take a

further risk in going through it again? We have had a lifetime of experience, so why do it?

In our own case, as I said, the first thing we had was the expense of fumigation of plants for shipment on account of the San Jose scale. When the Japanese beetle came along we had to build an extra building. We had to put in washing tubs, a water system, in order to wash the soil from the roots of every plant we shipped out. That did not mean just dumping them in the tub, it meant making sure that there wasn't a piece of soil on those roots as big as the head of a pin. It meant the Federal Government had a man at our nursery every day during the week for 8 hours a day. He had to live at a hotel 2 miles away, and he stayed there for 4 or 5 years. That was an expense for the Federal Government as well as an expense for ourselves. I will say that part of that expense was taken care of by the State of Pennsylvania, but in every case, as the Japanese beetle was spreading further and further over this country, it has meant continued appropriations by the Federal Government, with the States cooperating in putting up a part of the money, but it still had to be put up by the taxpayers of the United States.

Our shipping business in evergreens was wiped out overnight because you could not wash the soil from the roots of the evergreens and transship them. I remember one order distinctly. We had done business with Covehill Cemetery, I think in Louisville, Ky., ever since Covehill Cemetery was established. The man who was the superintendent was an old man, and we had a good order from him for shipment that spring. It was a full carload of evergreens. Overnight that order had to be canceled because we got notice the next morning that we would not be permitted to ship these evergreens because the Japanese beetle was found in our nursery. The plants were all dug, ready to load in the car when we got this notice. We had to write and tell them we simply could not ship the plants. That business was gone. In all the years since Covehill Cemetery was founded every evergreen plant had come from us. We will never get that business back. The Japanese beetle has not gone as far as Louisville, Ky., and consequently we still cannot ship there, and we cannot ship anywhere except inside of the Japanese beetle zone. So that our business, as far as that is concerned, is wiped out.

Southeastern Pennsylvania and New Jersey is a big nursery center, and all those nurseries were curtailed in the same manner. They were cut down to practically nothing. There was one time when we could do hardly any business anywhere except in Montgomery and Philadelphia Counties. We were confined to part of Philadelphia County and a little section around Camden. Dreer Co. at Riverton was so badly hit that they since have gone to pieces. They are coming back now with a new organization, but a fraction of the size that they were at that time.

I am just bringing these features out, as to what these things have cost our trade, and there is no way we can tell what it has cost the country in forestry and in agriculture.

Now what we are anxious for is this bill, so that we will be protected, as far as possible, in the future. We are anxious to have the bill passed as quickly as possible, because we do not want to go through another fall and spring season with the importation of material that may bring us another Japanese beetle, another Gypsy moth, another white

pine blister rust, or another pest that may be worse than any of them. That is the history of these pests, that when they come in they usually come in without their parasites, their natural enemies, and by the time we discover and find out about them it is too late. They are so well established in this country that it is years and years before we either get rid of them or bring in enough parasites or natural enemies to take care of them and reduce that danger to a point where it amounts to very little. Eventually it will probably come. Eventually we will find, or may find enemies that will take care of all these pests, but in the meantime we are spending millions of dollars a year trying to hold them in check, trying to prevent their spread. Now that is what we want done, and that is why we are so anxious that this bill go through.

The CHAIRMAN. We thank you very much, Mr. Meehan, for a very helpful statement.

Mr. THATCHER.

STATEMENT OF H. K. THATCHER, DIRECTOR, DIVISION OF AGRICULTURE AND INDUSTRY, STATE OF ARKANSAS

Mr. THATCHER. My name is H. K. Thatcher. I am the director of the division of agriculture and industry in the State of Arkansas and the executive secretary of the National Association of Commissioners, Secretaries, and Directors of Agriculture.

Mr. Chairman, our association is very vitally interested in this bill. We were the ones who took the initial steps to get the amendment introduced into the Congress. The original amendment did not have the controversial bulb issue in it.

I want to endorse what Mr. White has said and ask that the Congress act as speedily as is possible on the bill.

If there are any questions I will be glad to try to answer them.

Mr. ANDRESEN. Mr. Chairman.

The CHAIRMAN. Mr. Andresen.

Mr. ANDRESEN. I would like to ask you one question, Mr. Thatcher. Are you satisfied to leave the discretionary power in the hands of the Secretary as to the amount of this nursery stock that can be imported?

Mr. THATCHER. Mr. Andresen, it seems to me we have kicked that idea around the table considerably, as to what we mean by "limitation." I think there ought to be some rule and guide that the Secretary could follow. I think I would prefer that. I would not argue about it one way or the other too much, but if it could be left in there in some manner that would be acceptable I believe it ought to be there.

Mr. ANDRESEN. The way the bill is written now it is discretionary with the Secretary as to the amount he can bring in for propagation purposes, or that he can place any limitation on the imports.

Mr. THATCHER. It seems to me we use the words "limited for propagation purposes." We are using that phrase to cover up a lack of an idea as to what we really meant. I think in one instance you are going to limit it to just a few plants and in another you will probably have hundreds of thousands. If we could find some way besides using the word "propagation" I think it would be well. I don't know what that word really means, or what that word or words should be used but surely some of the Department's scientific men can figure that out.

The CHAIRMAN. Now, Mr. Thatcher, as I understand it, what you want to do in this legislation is to give the Secretary the power to put

on a limitation, which you thought he had and which evidently the Secretaries of Agriculture until 1943 felt they had, to impose a limitation. In that year the solicitor rendered an opinion that the Secretary had no power to impose a limitation. As I understand it, what you want to do is to restore the power that the Secretaries of Agriculture understood they had under the 1912 act.

Mr. THATCHER. That is correct.

The CHAIRMAN. That, of course, was not limited to propagation purposes, and there was no particular standard set up except by regulation. Do you see any good reason why the language "for propagation purposes only" should not be omitted?

Mr. THATCHER. No, I do not see any particularly good reason, except if you can give the Secretary some yardstick to go by I think it would help.

Mr. COOLEY. Wouldn't he have a yardstick that would be adequate in every respect? If you leave it to his sound discretion and if you men interested in the industry have any cause to complain you can arrange with him for a hearing, and then, in the exercise of free discretion, he can do whatever is necessary, and that act would be compatible with our trade agreements, as indicated by the letters we have before us. It seems to me your industry should be perfectly satisfied to have the Secretary with authority to fully exercise discretion.

Mr. THATCHER. Mr. Cooley, as a witness here I am representing the regulatory agencies rather than the industry. We are interested in the industry. Our regulatory people simply want to keep out diseases and insect pests that may come here.

Mr. COOLEY. If in a given situation you discover, as a regulatory man, that you were being subjected to the possibilities of diseases, insect pests, and so forth, under the bill without that phrase the Secretary could provide adequate protection. He could stop everything from coming in without violating any agreement.

Mr. THATCHER. That is correct.

Mr. PACE. Mr. Thatcher, of course we are very much interested in protecting the American people against loss caused by diseases and insects, that is, against a heavy economic loss. But what is the difference between protecting the people against economic losses due to insects and diseases and protecting them against unfair competition in foreign-produced agricultural commodities? They suffer in both cases. It is not clear to me. We propose to keep out foreign pests and diseases. Why? To save American people against losses, against the destruction of their plants and trees. What is the difference between protecting the American people against loss from unfair foreign competition and loss from foreign diseases and pests?

Mr. THATCHER. I guess one difference is that the individual who is in the business of growing, propagating, and selling these materials would probably like to have some help to cut out competition as much as possible. I assume that. But, on the other hand, the disease side of the picture is affecting all of the people.

Mr. PACE. Let us take a man in this country who is growing bulbs for a livelihood, and we all say, "Don't let infected bulbs come in here and destroy the value of his bulbs." That is this bill.

Mr. THATCHER. That is this bill.

Mr. PACE. What is the difference in saying "We are not going to let a million bulbs come in here, grown under cheap labor conditions, and put him out of business," and saying "We are not going to let infected bulbs come into this country from foreign countries and destroy the value of his bulbs"? Where is the difference in principle? The man goes out of business in both cases.

Mr. THATCHER. One is an economic and the other is a political matter.

Mr. PACE. They are both economic. He is put out of business in either case. Either the pest puts him out of business or cheap competition puts him out of business. It is not clear to me where the line should be drawn.

Mr. ANDRESEN. Will the gentleman yield on that point?

Mr. PACE. Yes.

Mr. ANDRESEN. As I see it, when you bring in competitive products that, of course, injures the individuals, but when you bring diseases so they injure plants, the public is injured and we have to appropriate money from the Congress to destroy the diseases.

Mr. PACE. When you bring in the pest it hurts the bulb but when you bring in the other situation it hurts the people.

Mr. ANDERSEN. We have to appropriate money in both cases.

Mr. PACE. We have to protect the bulbs by all means. That is all.

The CHAIRMAN. Do you have anything further, Mr. Thatcher?

Mr. THATCHER. No, sir; I think not.

The CHAIRMAN. We thank you very much for your statement.

Now we will hear Mr. C. A. Boyer of the Department of Agriculture of the State of Michigan.

**STATEMENT OF C. A. BOYER, DEPARTMENT OF AGRICULTURE,
LANSING, MICH., AND SECRETARY AND TREASURER OF THE NA-
TIONAL PLANT BOARD**

Mr. BOYER. Mr. Chairman and members of the committee, my name is C. A. Boyer, State Department of Agriculture, Lansing, Mich., and I appear before you today representing the National Plant Board, as their secretary and treasurer. The National Plant Board is comprised of 48 State regulatory officials who have been selected by the four regional plant boards within the United States. Therefore, as their secretary, I represent and voice the opinion of the 48 State regulatory officials whose duty it is to prevent the introduction and dissemination of injurious insects and contagious plant diseases within our respective States.

During the last meeting of the board in March at Des Moines, Iowa, a resolution was introduced and unanimously adopted recommending the passage of Senate bill 338, and with your kind permission I would like to present this resolution.

The CHAIRMAN. You may proceed.

Mr. BOYER (reading) :

Whereas the National Plant Board representing the 48 State departments of agriculture, through regularly elected representatives of the four regional plant boards, recognizes that American agriculture, horticulture, and forestry are threatened with an unwarranted and serious pest risk, due to the inadequacy of the provisions of the Plant Quarantine Act of 1912: and

Whereas this risk is due to the danger involved in the importation of plant pests from foreign countries on nursery stock, now allowed unlimited entry into the United States for immediate wide distributions, and

Whereas it is known that many economic plant diseases and insect pests exist in foreign countries which are not now known to be present in the United States, but which are likely to be carried on nursery stock, and which are undetectable by any visual or other inspection at the port of entry in the United States, and

Whereas we believe the Secretary of Agriculture should be given authority to limit imports of all nursery stock as defined in the Plant Quarantine Act of 1912, to that needed for propagation purposes, and that which is allowed entry be grown under whatever post entry requirements the Secretary deems necessary to insure pest freedom: Be it

Resolved, That the National Plant Board commends the Honorable Senators Arthur Capper and Elmer Thomas for recognizing the need for amending the Plant Quarantine Act of 1912 in order to protect American agriculture, horticulture, and forestry from such unnecessary risks, through the introduction jointly of S. 338; be it further

Resolved, That the National Plant Board endorse the provisions of S. 338 and urge that early favorable consideration be given to this proposed amendment to the Plant Quarantine Act of 1912 in congressional committees and by the Eightieth Congress; be it further

Resolved, That copies of this resolution representing the unanimous action of the National Plant Board be forwarded to the Honorable Arthur Capper, chairman, Senate Committee on Agriculture and Forestry, Hon. Elmer Thomas, co-author of S. 338, and to Hon. Clifford Hope, chairman, and Hon. John W. Flannagan, Jr., of the House-Committee on Agriculture and Forestry.

Mr. COOLEY. Would you yield there for just a question?

Mr. BOYER. Yes, sir.

Mr. COOLEY. Even if we were to eliminate this phrase with reference to propagation you could still do just what your organization recommends, could you not?

Mr. BOYER. Yes, sir.

Mr. POAGE. You would not have any objection to that?

Mr. BOYER. Not so far as I am personally concerned. It is a personal answer and not an answer for the Board.

Mr. POAGE. You mean the Board really wants that in there?

Mr. BOYER. Yes, I think they do.

Mr. POAGE. All right.

Mr. BOYER. Because with the increased quantities of nursery stock the danger of pests increases. That is a known fact. It has been proven over a period of years.

The CHAIRMAN. You would expect the Secretary to take that initiative, wouldn't you, in administering the act?

Mr. BOYER. Yes, sir. During my 24 years of service as a State regulatory official I am very frank to relate that there never has been a greater need for such legislation than now, for during the past few years we have been witnessing a general influx of old as well as new insects and diseases which have become a constant threat and saboteurs of American agriculture. In corresponding and conversing with members of the National Plant Board, I am certain that I voice the opinion of this Board in recommending the passage of Senate bill 338 as originally introduced.

In behalf of the National Plant Board I wish to convey our appreciation to this committee for the time allotted the speaker. I justly feel that regulatory officials are in the front line trenches and in a very favorable position to show the dire need of this legislation if we are to adequately protect plant life within this good country.

The CHAIRMAN. Are there any further questions. If not, we thank you very much.

The next witness is Mr. Robert H. Roland, executive secretary of the Society of American Florists.

**STATEMENT OF ROBERT H. ROLAND, EXECUTIVE SECRETARY,
SOCIETY OF AMERICAN FLORISTS**

Mr. ROLAND. Mr. Chairman and members of the committee, my name is Robert H. Roland and I am executive secretary of the Society of American Florists, with headquarters in Chicago, Ill. The society is an organization chartered by the Congress and represents by direct affiliation 43 other florist organizations within the country. I am speaking for all of those organizations.

Mr. Chairman, I can be very brief, because the theories that we have about this bill were fully expressed by Mr. White and the previous speakers. I simply want to subscribe wholly to the fact that we are very strongly in favor of the passage of Senate 338 as originally presented and without any reference to the controversial matter of the bulbs.

Mr. POAGE. What about that matter of limiting it to propagation stock?

Mr. ROLAND. That would also be immaterial to us, as long as the Secretary is given some authority to protect American agriculture.

The CHAIRMAN. Are there any further questions? If not, we thank you very much Mr. Roland.

The chair understands there are no other witnesses on behalf of the legislation, with the exception of those who want to speak on the inclusion of bulbs. If there are any others I would like to have them make themselves known now so we can hear them.

Mr. COOLEY. Mr. Chairman, on the bulbs how many witnesses have we?

The CHAIRMAN. I have a list of two or three names. I hope we can consolidate some of the witnesses' statements. These are mostly in opposition.

We have Mr. Ellsworth, a Representative from Oregon, who desires to appear. He will have with him gentlemen representing the Oregon bulb industry. As far as the chair knows, there are no others here to speak for the inclusion of bulbs. So the procedure tomorrow will be to hear Mr. Ellsworth and the gentlemen who will be with him to speak for the inclusion of bulbs, and at the conclusion of their testimony the chair will hear the opponents of the legislation.

(Whereupon the committee adjourned to 10 a. m. of the following day.)

AMEND PLANT QUARANTINE ACT

FRIDAY, JUNE 6, 1947

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D. C.

The committee met at 10 a. m., Hon. Clifford R. Hope, chairman, presiding.

The CHAIRMAN. The committee will come to order. At the conclusion of the hearing on yesterday the announcement was made that the first thing this morning would be to hear from those who were supporting the bulb provision in the legislation. We have with us this morning Representative Harris Ellsworth from Oregon, who will appear briefly and who will be followed by Mr. Tolbert.

Are there any others who are appearing on behalf of the provision to include bulbs? If not, at the conclusion of Mr. Ellsworth's and Mr. Tolbert's statements, we will proceed to hear the opposition. If you are ready, Mr. Ellsworth, we will be glad to hear from you at this time.

STATEMENT OF HON. HARRIS ELLSWORTH, UNITED STATES REPRESENTATIVE FROM OREGON

Mr. ELLSWORTH. Mr. Chairman and members of the committee, I appear before you in the interest of S. 338 and my own bill, H. R. 2773. The bill is for the purpose of giving the Secretary of Agriculture the power to protect the farmers, nurserymen, and gardeners of our country from the importation of diseased nursery stock, including bulbs, from overseas, or from any source. That is the sole purpose of our bill. The Quarantine Act of 1912 we feel does not contain adequate authority. We feel, therefore, that the pending legislation is necessary as a protection. We call the attention of the committee to the fact that while there has been no menace from the importation of diseased nursery stock and bulbs for the last several years due to the war, that the imports currently are running into very high figures and the menace has definitely increased over what it was prior to the war.

Now, Mr. Chairman, Mr. Tolbert, who is executive secretary of the Oregon State Farmers Association, flew out from Oregon, arriving here this morning, to be able to give you his knowledge of this situation, and with your permission I would like to have Mr. Tolbert give his testimony now, in connection with mine.

I have, by the way, Mr. Chairman, submitted to the clerk and to the members of the committee a prepared statement of mine, which I should like to have in the record along with my testimony and the testimony of Mr. Tolbert.

The CHAIRMAN. Without objection, that will be done.
(The statement referred to is as follows:)

STATEMENT BEFORE THE HOUSE COMMITTEE ON AGRICULTURE BY HARRIS ELLSWORTH,
MEMBER OF CONGRESS

Mr. Chairman and members of the committee, on March 25, I introduced before the House, H. R. 2773, a bill to amend the Plant Quarantine Act of 1912. This is a companion measure to S. 338 which has been approved by the Senate and is now pending before this committee. This bill is designed to give full legal authority to the Secretary of Agriculture to restore the plant quarantine measures which were in effect under regulation prior to the war.

I do not believe there is any substantial question as to the necessity for such quarantine procedures. The purpose of this amendment is to protect American agricultural, horticultural, and forest industries from insect pests and plant diseases which are new to this country, or not widely distributed. It is wholly unnecessary to point out the millions of dollars in damages incurred annually by these industries as a result of insects and diseases which have become established in the United States by way of imports from foreign countries. Without the powers granted in this bill, the Department of Agriculture cannot successfully cope with the problem and prevent other scourges gaining foothold to the detriment of our agricultural industries.

The Plant Quarantine Act of 1912 requires an import of nursery stock to secure a permit from the Secretary of Agriculture. Where the exporting country has proper inspection of such stock, proof of inspection must accompany the importation. Where there is no inspection, the Secretary is authorized to prescribe regulations to safeguard against insect and plant diseases. He is also authorized, after preliminary hearing, to exclude nursery stock from a country or locality where insect or plant diseases exist.

In actual practice, the Department of Agriculture found it necessary to set up regulations for limiting quantities of imports for postentry supervision of imports and in instances for control of use of propagation purposes only. Effective protection against disease and insects was not possible otherwise. These restrictions were modified or revoked because of enforcement problems growing out of inadequate legal authorities in the 1912 act as amended. The last of these restrictions, the limitation of quantities, was dropped shortly after the beginning of the war when imports became practically nonexistent.

The volume of postwar imports of nursery stocks and bulbs is such that protection against plant disease and insect pests is impossible without the authority proposed in the amendment. The imports are several hundred percent over averages for prewar years. Limitation of quantities and post entry quarantine are essential to safeguard against pests and disease.

It is my understanding that objection has been, or will be, raised to the inclusion of flowering bulbs. The Senate bill, S. 338, includes the word "bulbs" in this amendment, and it is my feeling that this language should be approved by the House likewise. There are substantial bulb industries in the United States, and they should receive the same protection against imports which may be infested with insects or disease. It may be urged by some that bulbs are mentioned elsewhere in the Plant Quarantine Act of 1912, and therefore, it is not necessary to include bulbs in this amendment. If bulbs are mentioned elsewhere in the existing law, certainly no objection can be raised to including them in the terms of this amendment. The protection is needed. Therefore, bulbs should be included to insure that protection.

Statistics on postwar imports indicate the seriousness of the problem facing the Department of Agriculture. If the Department were exercising its quarantine restrictions in existence before the war and normal imports were reaching our shores, there would be relatively little hazard. However, without the exercise of quarantine restrictions and with the vastly increased imports, it is urgent that action be taken. The imports of woody plants from 1933 to 1937 averaged approximately 161,000. In 1946, imports reached a total of 477,000. This is an increase of nearly 300 percent. Rose bushes in this classification jumped from an average of 11,000 per year to 218,000 in 1946, nearly a 2,000 percent increase. Similar increases have occurred in cases of lily, gladiolas, and other bulbs. For gladiola bulbs, the average for prewar years was approximately 600,000. Immediately before the war, imports were approximately 1,000,000. In 1946, estimated imports were 12,000,000 or 2,000 percent of the aver-

age for prewar years, and 1,200 percent of imports immediately before the war.

These vast imports of nursery stock and bulbs coming into this country without effective controls and quarantines constitute a great hazard to American agriculture, horticulture, and forest industry. If the Department of Agriculture is to do the job which is admittedly necessary, it must have the legal tools with which to work. This amendment gives the necessary authority to the Secretary of Agriculture to accomplish these important objectives. The State of Oregon, and my district in particular, are deeply concerned and interested.

The CHAIRMAN. We will be glad to hear from you at this time, Mr. Tolbert.

**STATEMENT OF WILLIAM H. TOLBERT, EXECUTIVE SECRETARY,
OREGON STATE FARMERS ASSOCIATION**

Mr. TOLBERT. Mr. Chairman and members of the committee; my name is William H. Tolbert and I am executive secretary of the Oregon State Farmers Association.

The bulb industry in the United States, which is represented by our people in the State of Oregon, has been a rather small and slow-growing part of agriculture. We have attempted, ever since its inception, to grow disease-free and pest-free bulbs of a good quality. We feel that during the war, even in spite of our labor difficulties and difficulties of carrying on an agricultural enterprise, we have materially increased our quality, and as soon as it is possible under our conditions to do so we are offering them to the flower-loving public.

Our interest in this bill was brought about by our being included under the original act, as being the kind of plants that could be protected from the standpoint of disease, pests, and quality, and later the Secretary of Agriculture and his staff did not include our bulbs, feeling that they did not have a sufficient basis in law to do so.

The nursery stock mentioned in this bill, as I understand it, is the principal item on which they have based this bill, and we ask for the inclusion of bulbs for the same purpose.

Now we only ask in our industry that bulbs that are imported to the United States be as free of disease, be as free of pests, and be of the quality that we are raising in the United States. As to the economic part of it, the competition, from an economic standpoint, that we feel we have to meet, we hope we are prepared to meet that competition, and I believe we are. We are asking only that the bulbs that are offered for sale in competition with our bulbs, the bulbs that come from without the United States, be as free from pests, be as free from disease, and be of the quality of flowers that we are growing in the United States.

Mr. ANDRESEN. I would like to ask you if the law as it now stands is sufficient to cover the importation of bulbs?

Mr. TOLBERT. It is our understanding that the Secretary of Agriculture decided the law was not sufficient to cover his authority to do so. That is the reason he revised his position just previous to the war, and the bulbs were not included at that time. They dropped the inclusion of the bulbs under the act of 1912.

Mr. ANDRESEN. Is it your understanding then that bulbs having diseases or carrying pests can come into this country?

Mr. TOLBERT. They are coming in; yes, sir. That is supported by experiments that were carried on by Prof. Frank McWhorter of the

Oregon State College. He carried on quite extensive experiments along that line and his reports are a matter of public record.

Mr. ANDRESEN. Are bulbs considered as hosts for pests, where they will carry the pests and transmit them to some other plants?

Mr. TOLBERT. In some instances that is true.

Mr. ANDRESEN. Can you give us some instances where that has occurred?

Mr. TOLBERT. No, sir.

Mr. ANDRESEN. If you can get that information will you submit it to us?

Mr. TOLBERT. We will be very glad to, Mr. Andresen.

Mr. GROSS. How large an industry is this bulb industry?

Mr. TOLBERT. Well, it is comparatively small. Mr. Ellsworth has presented some evidence along that line.

Mr. ELLSWORTH. If I may interrupt at this point, it is a very young industry, relatively speaking.

Mr. GROSS. Is it a million dollar industry?

Mr. ELLSWORTH. I should say it would be at least a million dollars.

Mr. TOLBERT. Between 2 and 3 million dollars I would say.

Mr. ELLSWORTH. Several millions.

Mr. GROSS. How much land do you use in this bulb business?

Mr. TOLBERT. Well now, in our particular association we have about 7,000 acres.

Mr. GROSS. 7,000 acres devoted to bulbs?

Mr. TOLBERT. That is devoted to all ramifications of the industry.

Mr. GROSS. Devoted to the nursery business?

Mr. TOLBERT. Yes, sir.

Mr. GROSS. Bulbs and flowers are just a part of it?

Mr. TOLBERT. Yes. I don't know what the acreage would be for the production of bulbs alone, but I think it would be less than 1,000 acres.

Mr. GROSS. What are some of the diseases that attack these bulbs?

Mr. TOLBERT. Well, there are many different diseases and pests that are brought in that can attack the bulbs. If the committee would allow me to do so, I would like to submit a list of those to you. They are taken from Professor McWhorter's experiments, so you will have the technical knowledge on hand.

(The following was submitted for the record:)

OREGON STATE COLLEGE SCHOOL OF AGRICULTURE,
EXPERIMENT STATION EXTENSION SERVICE,
Corvallis, June 7, 1947.

Mr. WILLIAM H. TOLBERT.

Washington, D. C.

DEAR SIR: Mr. Henry Plummer phoned me about your need for first-hand information on the quantity of recent bulb importations from Holland. I hope the following comments on my observations and tests will be of use.

1. The much advertised "green stem" King Alfred premium stock from Holland is a Holland copy of the virus-free mother-block stock developed first in the Pacific Northwest. We already have it.

I have studied five samples of this stock. All grade excellent on basis of virus freedom but unfortunately all samples I have seen are reintroducing *Stagonospora* fire or leaf blight. The *Stagonospora* rode along on the bulbs. Fifteen percent of the plants in a local test were badly injured. Unfortunately some of the dealers trying to introduce the stock are trying to explain the injury as frost injury.

One might conclude that during the war when Holland's sale of daffodils was practically nil the growers rogued out virus diseases following recommendations

in American publications and raised the quality of their daffodils stocks to the level of the prewar grade in the Pacific Northwest. Actually complaints received here from local growers prove the average received from Holland has been disappointing.

2. The average performance of such daffodil importations may be visualized by (a) statements from Warren Billick re importations in the Umpqua Valley, and (b) by the experience of a good Northwest grower such as Robert Warrens at Forest Grove.

When Mr. Warren Billick asked me to make photographic record of the trash imported by his group of bulb growers I explained that war hysteria was certain to thus jeopardise our American plantings for a while.

I carefully examined the plantings representing several tons of daffodils imported by Mr. Warrens. We both agreed that the quality was so far below the level of his own mother block he should proceed to get rid of them at once by selling them for forcing. They contained too much decline disease, mosaic, and *Stagonospora* to warrant further propagation.

3. We are trying to enlarge commercial production here of high-quality virus-free *Speciosum* lilies. The success depends on virus-disease control. Therefore I have tested samples of Holland imports here and visited plantings of these importations in Oregon, Illinois, and Michigan.

All of the white (*Album*) and 85 percent of the colored (*Rubrum*) *Speciosums* were diseased with dangerous viruses.

These lilies are a menace to the development of decent high-grade plantings of this desirable lily in and for American plantings. They are likewise dangerous to several other species of lilies grown in this country. To evaluate this statement, remember that we have over 1,400 commercial lily growers in the Northwest. Because production of Easter lilies has reached a saturation point, 100 of these are starting plantings and forming an association to grow *Speciosum* lilies. The danger from Holland imports has been a continual menace to the development of this important new industry. The danger should be publicized.

I am confining the above remarks to those Holland imports to which my attention has been called by disappointed growers. I regret that I have not been asked to examine a single importation that was outstandingly perfect.

Very truly yours,

FRANK P. McWHORTER,
Plant Pathologist, Oregon State College.

PARTIAL LIST OF INSECTS AND DISEASES FOUND IN IMPORTED BULBS

NARCISSUS

Insects

<i>Aglossa</i> sp. (Pyralidae)	<i>Fuecellia</i> sp. (Anthomyiidae)
<i>Agriotes</i> sp. (Elateridae)	<i>Histiostoma</i> sp. (mite)
<i>Athous niger</i> (tobacco wireworm)	<i>Limonijs</i> sp. (Elateridae)
<i>Coprodiplosis</i> sp. (Cecidomyiidae)	<i>Ludius</i> sp. (Elateridae)
<i>Corymbites aeneus</i> (Elateridae)	<i>Lampetia equestris</i> (narcissus bulb fly)
<i>Desmometopa m-nigrum</i>	<i>Pheletes</i> sp. (Elateridae)
<i>Eudrosis laetella</i>	<i>Rhizoglyphus hyacinthi</i> (bulb mite)
<i>Enmerus strigatus</i> (Syrphidae)	<i>Rhizoglyphus rhizophagus</i> (mite)
<i>Eumerus tuberculatus</i> (lesser bulb fly)	<i>Sitona</i> sp. (Curculionidae)
<i>Frankliniella intonsa</i>	<i>Tarsonemus laticeps</i>
<i>Frankliniella minuta</i>	<i>Tinea</i> sp. (Tineidae)
<i>Frankliniella occidentalis</i>	

Diseases

<i>Aphelenchoides fragariae</i> (nematode)	<i>Fusarium</i> sp. (basal rot)
<i>Aphelenchoides parietinus</i> (nematode)	<i>Paraphelenchus pseudoparietinus</i> (nematode)
<i>Aphelenchoides subtenuis</i> (nematode)	<i>Phoma</i> sp. (bulb rot)
<i>Aphelenchus avenae</i> (nematode)	<i>Sclerotium tuliparium</i> (bulb rot)
<i>Aphelenchus modestus</i> (nematode)	<i>Sclerotium rolfii</i> (bulb rot)
<i>Botrytis narcissicola</i> (gray mold)	<i>Sphaeroneura</i> sp. (leaf spot)
<i>Botrytis parasitica</i> (gray mold)	<i>Stagonospora curtisii</i> (leaf spot)
<i>Ditylenchus dipsaei</i> (nematode) (serious pest)	

GLADIOLUS

Insects

<i>Amorbia emigratella</i> (Tortricidae)	<i>Taeniothrips atratus</i> (thrips)
Sp. of <i>Cecidomyiidae</i>	<i>Taeniothrips simplex</i> (gladiolus thrips)
Sp. of <i>Miridae</i>	<i>Thrips fuscipennis</i>
Sp. of <i>Phalacnidae</i>	<i>Thrips validus</i>
<i>Rhipersia</i> sp. (Coccidae)	Sp. of <i>Tortricidae</i>
<i>Rhizoglyphus</i> sp. (mite)	<i>Urodon</i> sp. (Curculionidae)
<i>Sitona</i> sp. (Curculionidae)	<i>Neotoxoptera tulipaella</i> (aphid)

Diseases

<i>Aerospora macrosporoides</i> (bulb fungus)	<i>Fusarium</i> sp., (bulb rot)
<i>Aphelenchoides parictinus</i> (nematode)	<i>Papulospora</i> sp., (bulb rot)
<i>Xanthomonas marginatum</i> (scab)	<i>Penicillium gladioli</i> (bulb rot)
<i>Botrytis gladioli</i> Kleb. (gray mold)	<i>Phyllosticta gladioli</i> (leaf spot)
<i>Botrytis parasitica</i> (gray mold)	<i>Stromatinia gladioli</i> (dry rot)
<i>Fusarium orthoceras gladioli</i> McCull. (bulb rot)	<i>Septoria gladioli</i> (hard rot)
	<i>Sclerotium</i> sp. (bulb rot)
	<i>Urocystis gladioli</i> (gladiolus smut)

BULBOUS IRIS

Insects

<i>Anthomyid larva</i>	<i>Euxesta</i> sp. (Ortaliidae)
<i>Brevatothrips iridis</i>	<i>Neotoxoptera tulipaella</i> (aphid)
Sp. of <i>Cecidomyiidae</i>	<i>Taeniothrips</i> sp.
<i>Emmerus strigatus</i> (Syrphidae)	

Diseases

<i>Ditylenchus dipsaci</i> ¹ (nematodes)	<i>Fusarium</i> sp. (bulb rot)
<i>Aphelenchoides parictinus</i> (nematodes)	Iris mosaic virus
<i>Aphelenchoides subcuneus</i> (nematodes)	<i>Penicillium</i> sp. (bulb rot)
<i>Aphelenchus avenae</i> (nematodes)	<i>Sclerotinia</i> sp. (bulb rot)
<i>Aspergillus niger</i> (black rot)	<i>Sclerotium semen</i> (bulb rot)
<i>Botrytis parasitica</i> (Common <i>B. tulipae</i> very likely) (gray mold)	

LILIES

Diseases

<i>Aphelenchoides fragariae</i> (nematode)	<i>Fusarium</i> sp. (bulb rot)
<i>Aphelenchoides huntii</i> (nematode)	<i>Helminthosporium</i> sp. (leaf spot)
<i>Aphelenchoides parictinus</i> (nematode)	Mosaic virus disease
<i>Aphelenchus avenae</i>	<i>Papulospora parasitica</i> (bulb rot)
<i>Aspergillus flavus</i> (bulb rot)	<i>Penicillium</i> sp. (bulb rot)
<i>Botrytis elliptica</i> (Berk.) Cke. (gray mold)	<i>Phyllosticta</i> sp. (leaf spot)
<i>Cercospora</i> sp. (leaf spot)	<i>Phytophthora</i> sp. (bulb fungus)
<i>Colletotrichum lilii</i> Pladkidas (leaf spot)	<i>Puccinia</i> sp. (rust)
<i>Diploscapter coronata</i> (nematode)	<i>Ramularia</i> sp. (leaf spot)
	<i>Sclerotinia</i> sp. (bulb rot)

Insects

<i>Agriotes</i> sp. (Elateridae)	<i>Aphis lilicola</i> (?) (aphid)
<i>Agromyza</i> sp. (Agromyzidae)	<i>Atacnius</i> sp. (Scarabaeidae)
<i>Anisolabis marginalis</i> (earwig)	<i>Athous haemorrhoidalis</i> (Elateridae)
<i>Anisolabis moesta</i> (earwig)	<i>Blastodacna</i> sp. (Cosmopterygidae)
<i>Anisolabis stali</i> (earwig)	<i>Callidium rufipenne</i> (Cerambycidae)
<i>Anomala</i> sp. (?) (very close to <i>Popillia japonica</i>)	<i>Carpophilus</i> sp. (Nitidulidae)
<i>Anuraphis tulipae</i> (aphid)	Sp. of <i>Cecidomyiidae</i>
	<i>Cerosiphia</i> sp. (aphid)

¹ Most important.

LILIES—continued

Insects—Continued

Sp. of <i>Chrysomelidae</i>	<i>Myocandria elongata</i> (Curculionidae)
<i>Cryptothrips dentipes</i> (thrips)	Sp. of <i>Olethreutidae</i>
Sp. of <i>Curculionidae</i>	<i>Phyllotreta</i> sp. (Chrysomelidae)
<i>Emporinus signatus</i> (Silvanidae)	<i>Pseudococcus</i> sp. (Coccidae)
<i>Eumerus strigatus</i> (lesser bulb fly)	<i>Ptinella</i> sp. (Ptiliidae)
<i>Forficula auricularia</i> (European earwig)	<i>Rhizoglyphus echinopus</i> (bulb mite)
<i>Histiostoma</i> sp. (mite)	<i>Rhizoglyphus phylloxerae</i> (mite)
<i>Liothrips vanceckei</i> (thrips)	<i>Rhopalosiphum</i> sp. (aphid)
<i>Melanotus</i> sp. (Elateridae)	<i>Tyroglyphus</i> sp. (mite)

TULIPS

Insects

<i>Anisolabis</i> sp. (earwig)	<i>Lampetia</i> sp. (Syrphiade)
<i>Anuraphis tulipae</i> (aphid)	<i>Neotoxoptera tulipaella</i> (aphid)
Sp. of <i>Cecidomyiidae</i>	<i>Rhizoglyphus echinopus</i> (bulb mite)
<i>Eumerus strigatus</i> (lesser bulb fly)	<i>Rhizoglyphus phylloxerae</i> (mite)
<i>Forficula auricularia</i> (European earwig)	<i>Rhizoglyphus rhizophagus</i> (mite)
<i>Hylemyia</i> sp. (Anthomyiidae)	<i>Rhopalosiphum</i> sp. (aphid)
	<i>Tyroglyphus</i> sp. (mite)

Diseases.

<i>Aphelenchoides parietinus</i> (nematode)	<i>Papulospora parasitica</i> (bulb rot)
<i>Aspergillus niger</i> (black rot of bulbs)	<i>Papulospora rubida</i> (bulb rot)
<i>Botrytis parasitica</i> (gray mold)	<i>Penicillium</i> sp. (bulb rot)
<i>Botrytis tulipae</i> (tulip gray mold)	<i>Sclerotium</i> sp. (bulb rot)
<i>Ditylenchus dipsaci</i> ² (bulb and stem nematode)	

Mr. GROSS. You are producing the same kind of bulbs as are now being imported from the Netherlands, are you?

Mr. TOLBERT. We are producing the same kind of bulbs as are being imported from the Netherlands, yes, sir. Of course the varieties are different. Within technical categories, yes, sir, we are producing the same kind of bulbs as are imported from the Netherlands.

Mr. GROSS. How long have you been in this business of growing bulbs?

Mr. TOLBERT. It has only become commercially important in Oregon during the last 7 or 8 years. It is a comparatively young industry, Mr. Gross.

Mr. GROSS. Thank you.

Mr. ELLSWORTH. May I amplify that slightly? The growing of bulbs in the western part of Oregon is a kind of business that a very small farmer can engage in and make himself a living under reasonable market conditions. A man can obtain a very few acres of good land and really get along quite well on it. That has been the experience on the Oregon coast where the climate is especially suited for the propagation of bulbs. Many returned veterans have gone into the business and thus far have gotten along very well on a relatively small investment. So it is a rapidly growing business.

The CHAIRMAN. Mr. Tolbert, we import the greater part of the flower bulbs that we use in this country, do we not?

² Most important of nematodes on tulip.

Mr. TOLBERT. No, sir; I would not say that up until this last year. That may be true at the present time, on the present importation figures, but we have been able to supply domestically pretty much our bulb needs during recent years.

The CHAIRMAN. Before the war we imported a large proportion of our bulbs, and in 1946, after the war ended, it is my understanding we did it perhaps on a greater scale than before the war.

Mr. TOLBERT. Yes; it increased about 1,200 percent in our particular category more than it was during the war. We feel if they are coming in in large quantities it increases the hazard of diseases and pests and we feel they should be free of those diseases and pests if they are coming on our markets in large quantities.

The CHAIRMAN. Of course there was a shortage during the war because we could not import them. It is my understanding in 1946, in the case of most types of bulbs, we imported far more than we produced in this country. Is that correct?

Mr. TOLBERT. That is correct; yes, sir.

The CHAIRMAN. So if we should adopt this legislation as it is now written, which would provide that the Secretary of Agriculture is authorized to limit the entry of bulbs to those needed for propagation purposes, it would have the effect, would it not, of practically cutting off the supply of foreign bulbs?

Mr. TOLBERT. It is my understanding, sir—and I was not here at the hearing yesterday, Mr. Hope, I just got in late last night—that the nurserymen's association agreed to waive that part of the bill which says "for propagation purposes," which we are perfectly willing to do also. I think that will remove that particular objection. Again I would like to emphasize, Mr. Hope, that our interest is to see that what is offered to the American public is of equal quality and as free of diseases and pests as the bulbs which we are producing domestically. We are not asking for anything else. If we have erred in our method of saying that in the bill we will be glad to defer to the judgment and wisdom of the committee to correct it so it will accomplish that fact. That is the only thing we are interested in.

Mr. ELLSWORTH. May I point out also, Mr. Chairman, that the language of the bill merely provides an authorization. I think the Secretary has full authority to make no limitation of any kind, if he so deems it advisable. It is not our purpose to offer any language which would, in itself, bar the importation of any product. The purpose, as Mr. Tolbert has stated, is not to stop the importation of any product which is reasonably entitled to entry, if it is of proper quality and free from disease and pests. If the language of the bill, as Mr. Tolbert has said, is considered to be detrimental to the importing of good products, we certainly have no objection to that language being properly clarified.

Mr. ANDRESEN. You are willing then, Mr. Ellsworth, to leave to the discretion of the administration as to the amount of bulbs that should come into the country?

Mr. ELLSWORTH. I think the administration probably has that authority now, if I am any judge of the operation of the reciprocal trade agreements. I do not believe Congress any longer exercises any authority on duties or quotas.

Mr. ANDRESEN. Of course the solicitor from the Department has ruled that the Secretary does not have the authority to limit the amount of shrubbery and bulbs that come into the country. I am asking you if you are willing to turn that discretionary power over to the administration so they can continue the present policy.

Mr. ELLSWORTH. I do not think that is a point at issue in this particular bill, but it would seem to me that we have to turn the discretionary power to some administrative agency under present law. Now if you want to go into the entire subject of imports, tariffs, and quotas, that would have to be done under other law and probably would involve an entire revision of the present law.

Mr. ANDRESEN. All this bill does is to give the Secretary of Agriculture the authority to limit the imports.

Mr. ELLSWORTH. Of diseased plants and bulbs.

Mr. ANDRESEN. Of diseased plants and bulbs, yes.

Mr. ELLSWORTH. I do not consider the language of this bill that I have introduced as giving to the Secretary of Agriculture authority to arbitrarily say that so many bulbs shall or shall not be imported into this country.

Mr. ANDRESEN. Maybe you are correct about that as far as your bill is concerned, but I was referring to the bill introduced by the chairman.

Mr. ELLSWORTH. I am not familiar with that bill. The sole purpose of my bill, and the bill passed by the Senate, is the matter of protection of American growers against the importation of products that are diseased and that would deteriorate our own products. That is of particular importance right now because the importation of some of these products has increased as much as 2,000 percent as compared with former years. The larger the amount of products coming in the greater the hazard. When it is a seller's market the product inevitably decreases in quality, and I am afraid that that is what we are going to have right now and during the coming 12 months, unless the Secretary of Agriculture is authorized by this bill to stop it.

Mr. ANDRESEN. This of course does not direct him to do it but it gives him the discretionary authority to limit it.

Mr. ELLSWORTH. That is correct.

Mr. ANDRESEN. So if he does not exercise that discretion you are no better off after the bill is passed than you are at the present time.

Mr. ELLSWORTH. Well, we are hopeful that the great Department of Agriculture, which has a long record of fine public service, would exercise the proper discretion for the protection of our people.

Mr. GROSS. Was the importation of these bulbs heavier in 1946 than it was at any time prior to that?

Mr. TOLBERT. That is true; yes, sir.

Mr. GROSS. It was heavier in 1946 than it was before the war?

Mr. TOLBERT. Yes.

Mr. GROSS. On the same basis the expansion in Oregon during the war was primarily due to the fact that there were no other bulbs available?

Mr. TOLBERT. Oh, yes, sir. By the same token, Mr. Gross, we are not asking, through this bill, special protection. What we are asking is that it be just as disease-free and pest-free as the bulb we are offering to the American public. We feel if we go in competition with inferior bulbs we soon are labeled along with the foreign bulb as being of no

account, and we believe we have a quality product. If standards are set for quality and for disease and pest freeness we will meet the competition, sir.

Mr. GROSS. I think you can.

Mr. TOLBERT. Yes, sir.

Mr. FARRINGTON. Mr. Chairman, I would like to ask the witness a question.

The CHAIRMAN. Mr. Farrington.

Mr. FARRINGTON. What quantity of plants coming within the scope of this legislation is imported from points in the Pacific, from any of the occupied islands?

Mr. TOLBERT. Before the war there were importations from Japan. I am not in a position to say what it amounts to at the present time, but I think it is negligible.

Mr. FARRINGTON. I would like to say, as the Representative from the Territory of Hawaii, that I am very strongly in favor of this legislation. I want to point out that during the years of the war, as the result of the extensive development of air transportation, some 16 new and very serious insect pests were established in the Hawaiian Islands as the result of the inability of the officials in the quarantine service to adequately police all of the fruit coming from the battle front back to Hawaii. I know from experience that to allow insect pests to become established in your community or in your State offers you one of the most serious problems that you have to contend with.

I think it stands to reason that with restoration of peace there will be considerable imports of bulbs and plants into this country from Japan, if not from other points in the Orient. It would be extremely foolhardy not to provide the law that is necessary to protect the States from infestation that result from such importations. We in Hawaii are the first point of contact and have suffered more than any other part of the country. We are especially aware of the importance of what you recommend to this committee.

Mr. ANDRESEN. Will the gentleman yield?

Mr. FARRINGTON. Yes.

Mr. ANDRESEN. It seems to me that the authorities are pretty watchful when it comes to bringing in any plants and flowers from Hawaii to the mainland. I recollect the last time I was in Hawaii they made us throw our flowers and plants away before our boat landed.

Mr. FARRINGTON. That is correct, Mr. Andresen. That is because of the establishment in Hawaii some years ago of the Mediterranean fruit fly. We have asked that, if possible, quarantine first inspection be extended in the islands beyond Hawaii, such as Midway and the Carolines. I want to say there is no community under the American flag that has suffered as we have from the importation of pests. It seems to me what you are trying to do is to protect your bulb business.

Mr. ELLSWORTH. Yes. I would like to make one observation in connection with that.

The CHAIRMAN. Yes.

Mr. ELLSWORTH. I am sure we are all aware of the fact that our own States protect themselves against one another, so it seems to me it would be very fair and reasonable for the Congress to protect the

entire United States against the importation of diseases and pests from other countries. It is a principle we have tried on ourselves and it seems to me we might just as well expand it for the protection of all.

Mr. PACE. Mr. Chairman.

The CHAIRMAN. Mr. Pace.

Mr. PACE. There is one provision of this bill that I would like to ask one of the gentlemen about, what the meaning is. It is on page 2. It gives the Secretary authority and it says—

including the requirement, if necessary, that such nursery stock, including bulbs, be grown under postentry quarantine by and under the supervision of the United States Department of Agriculture.

What does that mean?

Mr. TOLBERT. I would stand to be corrected on this, Mr. Pace.

Mr. PACE. I will tell you what it sounds like. It could mean that the Department of Agriculture would send some people to Holland, or Midway, set up a staff there and supervise the growing of this nursery stock and plants.

Mr. TOLBERT. No, sir. It is my understanding—and, as I say, I am open for correction on this particular point—that the way it has worked in the past, under the act of 1912, if nursery stock or plants of any kind came under it is was necessary for them to be grown under postentry observation, and that much of that was done right here in the country, that they were put in a quarantined place and checked by the Department of Agriculture and then released when found to be disease-free, and that that inspection and supervision was carried on in this country before they were released for country-wide distribution rather than at the point of original production.

Mr. PACE. You mean to say that the stock is not treated as having been entered until it is officially released by the inspection service?

Mr. TOLBERT. That is my understanding, sir.

Mr. POAGE. Will the gentleman yield?

Mr. PACE. Yes.

Mr. POAGE. Doesn't that simply mean—and I will get back to mulberries—that if you took mulberries and planted them and found that the concentration of that plant created an insect pest that had not heretofore been a dangerous one, the Department still reserves the right, until they had cleared them, to destroy them even after they were planted. They keep them planted there for a year to see what effect the concentration of plants would have in the community or on the development of insect pests. That is what they mean there.

Mr. TOLBERT. That is right, Mr. Poage, as I understand it.

Mr. PACE. The menace will already have been created.

Mr. POAGE. The menace may be the result of concentration of plants, as I understand it.

Mr. TOLBERT. I think in most instances where that is carried on, Mr. Poage, it is done with the idea that they have it in a small concentrated area so they can eliminate any trouble that may have been brought into that quarantine area.

Mr. PACE. I understand. Let me ask you, are you a producer?

Mr. TOLBERT. I represent the producers of Oregon, yes, sir.

Mr. PACE. Nowadays we are able to treat many of our seeds before we plant them with different chemicals, which in itself eliminates

some of the diseases. That is to say, we can treat our cottonseed before we plant them, and it contributes a great deal to their value, it eliminates some of the diseases to which the cotton plant itself is subject. Is there not a method, with regard to these diseases known as virus diseases, whereby the plant, or the roots of the plant, can be dipped into some chemical treatment that will entirely destroy this virus disease said to be hidden there in the roots or the dirt?

Mr. TOLBERT. Before the war, Mr. Pace, many of the bulbs that came into the country were dipped for the control of certain diseases, yes, sir.

Mr. PACE. That is not all-inclusive, though.

Mr. TOLBERT. That isn't all-inclusive. It hasn't been done in recent years. That is one of the reasons why we ask that this bill include bulbs, because the Secretary of Agriculture and his Solicitor had ruled they did not have authority to continue with that program.

Mr. PACE. Authority to require plant treatment?

Mr. TOLBERT. Yes, sir.

Mr. PACE. That looks like a rather far-fetched interpretation. If the Secretary had authority to try to protect us against pests or diseases he could require that they be treated in a certain practicable manner. The point I am making is it seems to me that with the progress that has been made in the last few years in the treatment of seed, which eliminates so many pests just by simply dipping the seed before you plant it, there ought to be some practical method of treating a plant or bulb.

Mr. TOLBERT. There are many methods of controlling the diseases by dipping the bulbs as they come in.

Mr. PACE. Haven't you been writing in here the authority, under the direction of the Secretary, to require the application of any reasonable methods to eliminate diseases in bulbs before he authorizes them to come in?

Mr. TOLBERT. We feel that would be a step in the right direction. That is in the discretion of the committee.

Mr. ELLSWORTH. Mr. Pace, if I may say something on that, I would like to call attention to the fact that the Quarantine Act and the quarantine principle has been law in our country for 35 years. This bill doesn't propose any change or anything new or unusual or strange in the quarantine principle which, as I say, has been in effect for 35 years. We merely propose to clarify the Secretary's authority with reference to one product, namely, bulbs.

Mr. PACE. It seems to me if you kill a cow to stop the foot-and-mouth disease you ought to be able to kill a bulb to stop a disease in bulbs.

Mr. ELLSWORTH. Yes, that is right. Further than that, any means taken by the Department of Agriculture to accomplish the objective, namely, to keep out diseases and pests, I am sure will be entirely satisfactory to all concerned.

Mr. PACE. That is all.

Mr. POAGE. This bill doesn't give the Secretary any of that authority, though, does it?

Mr. ELLSWORTH. The language of the bill as it is now written does not, but there would be no objection, if it seems advisable, to putting such authority into the legislation.

Mr. POAGE. I understood the witness to say the Secretary claimed that authority for many years and exercised it, but finally the Solicitor decided he did not have it, and consequently they stopped exercising that authority.

Mr. TOLBERT. That is the principle of this bill, to fortify his authority.

Mr. POAGE. Yes, but this bill does not give him the authority to require the treatment of any plants, does it?

Mr. TOLBERT. I think in connection with the original act of 1912 it would. That is my understanding of it.

The CHAIRMAN. The Secretary of Agriculture does now deal with the importation of bulbs which are carrying plant diseases or pests. Let the Chair read what the existing law is on the subject. Let us get that in the record right here. This is section 5 of the original act of 1912, reading as follows:

That whenever the Secretary of Agriculture shall determine that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section 152 of this title may result in the entry into the United States or any of its Territories or districts of injurious plant diseases or insect pests, he shall promulgate his determination, specifying the class of plants and plant products the importation of which shall be restricted and the country and locality where they are grown, and thereafter, and until such promulgation is withdrawn, such plants and plant products imported or offered for import into the United States or any of its Territories or districts shall be subject to all the provisions of sections 154, 156, and 158 of this title: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that the unrestricted importation of any plants, fruits, vegetables, roots, bulbs, seeds, or other plant products not included by the term "nursery stock" as defined in section 152 of this Act may result in the entry into the United States or any of its Territories or districts of injurious plant diseases or insect pests he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney.

Under this provision bulbs are put under all of the provisions of the Plant Inspection Act.

Mr. POAGE. That is right, Mr. Chairman, but as I understand it, it still doesn't give the Secretary of Agriculture the power to require the fumigation or treatment of bulbs, or any other plants for that matter. As I understand it the witness testified that in years past the Secretary had exercised that power, whether legally or not. I know he exercised it, because I have brought in cactus from Mexico and had to have it fumigated. I understand now that the Solicitor has held that there isn't any law authorizing him to require the fumigation or the chemical treatment of plants that are brought into the United States. Isn't that right, Mr. Witness?

Mr. TOLBERT. Yes, sir. I would like for you to put your question to the Department of Agriculture representative, because I think he can explain what we are after here, the differentiation in authority.

Mr. POAGE. What I want you to testify to here is whether or not that is your view.

Mr. TOLBERT. Yes, sir, that is my view.

Mr. POAGE. And I think you are right in it.

Mr. TOLBERT. Yes, sir, that is our view.

Mr. POAGE. What I want you to testify to, if that is your view, why did you not write into this bill language giving that power to the Secretary.

Mr. ELLSWORTH. If I may interrupt, I think it is assumed that that power, or that authority is given to the Secretary by the act of 1912.

Mr. POAGE. Mr. Ellsworth, you say it is assumed that he does have it.

Mr. ELLSWORTH. Yes, for everything except for bulbs.

Mr. POAGE. The chairman just read very clearly all products except nursery stock together.

Mr. TOLBERT. Bulbs are included as nursery stock, and they were not included by the Secretary of Agriculture several times.

Mr. ELLSWORTH. May I read this short paragraph from Secretary Anderson's report on the bill?

The CHAIRMAN. Yes.

Mr. ELLSWORTH. He says:

We believe the supplemental authority contained in this bill would give added protection to the agricultural, horticultural, and forestry interests of this country by authorizing the limiting of quantities of imported nursery stock. We believe also that protection provided by the Plant Quarantine Act of 1912 would be strengthened by this bill which would authorize post entry inspections and the application of remedial measures should plant pests be found which were not discernible by inspection at the port of entry.

Mr. POAGE. That hasn't any relation to the remedial measures he may take at the time of entry, it is only in relation to the remedial measures he may take at the post-entry inspection.

Mr. ELLSWORTH. As far as I am concerned, the Department will have to answer that.

The CHAIRMAN. We thank you very much for the information you have given the committee.

Mr. TOLBERT. I just wish to thank you, Mr. Chairman, and the members of the committee, for permitting me to appear here.

Mr. ELLSWORTH. Thank you, Mr. Chairman.

The CHAIRMAN. The chair understands that finishes all those who wish to appear on behalf of the inclusion of the bulbs. We will proceed then to hear the opposition. Before doing that, however, the chair wishes to insert in the record a letter from the American Farm Bureau Federation in support of S. 338. It will go in the record at this point.

(The letter referred to is as follows:)

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., June 3, 1947.

HON. CLIFFORD R. HOPE.

*Chairman, Committee on Agriculture, House of Representatives,
Washington, D. C.*

MY DEAR CHAIRMAN HOPE: The Committee on Agriculture of the House of Representatives will soon have before it for consideration H. R. 2950 and S. 338, to amend the Plant Quarantine Act of 1912. The purpose of the legislation is to strengthen this basic act to prevent, insofar as possible, the further introduction of insect pests and plant diseases into this country.

At the present time nursery stock, with the exception of a few specifically embargoed items, such as fruit trees, citrus stock, plants with soil about the roots, and stock of white pines, is allowed entry into this country from all foreign countries under permit, in unlimited quantities and subject only to an inadequate port-of-entry inspection. Consequently, if we are to adequately protect our American agriculture, horticulture, and forestry from further losses due to the importation of plant pests, both insect and disease, the Plant Quarantine Act of 1912 will need to be amended.

It is estimated by the Department of Agriculture that in excess of 179 diseases of economic importance are known to have been introduced into this country, and in addition a long list of insect pests of foreign origin is taking a heavy toll of our agricultural resources. A port-of-entry inspection has not been adequate to protect us from importation of such diseases and insects. Certain diseases

and insects cannot be discovered except during particular stages of their development by any visual inspection, no matter how thorough, while others are not visible in dormant stock and can only be found as the stock grows in the fields. The loss because of our failure to protect agriculture and our forests from these foreign diseases and pests is enormous.

On behalf of the American Farm Bureau, I wish to endorse the purposes of H. R. 2950 and S. 338 and recommend enactment of this legislation. I would appreciate having this letter made part of the hearing on the bill, when it is taken up by the Agriculture Committee.

Sincerely yours,

EDW. A. O'NEAL, *President.*

Mr. FARRINGTON. May I ask unanimous consent that there be inserted in the record also a letter from Mr. Lennox, the president of the Board of Commissioners, Agriculture and Forestry, Territory of Hawaii?

The CHAIRMAN. Yes, without objection that may be done.
(The letter referred to is as follows:)

JUNE 4, 1947.

Mr. JOSEPH R. FARRINGTON,
Delegate from Hawaii, Washington, D. C.

DEAR Mr. FARRINGTON: I should like to submit a statement on behalf of the Board of Commissioners of Agriculture and Forestry, Territory of Hawaii, relative to the amendment to the Plant Quarantine Act of 1912 as proposed by H. R. 2950. As you know, this board is charged with the duty of enforcing plant quarantine matters in the Territory of Hawaii.

The danger of insect pests gaining entry with plant material was brought home forcefully to the Territory at the turn of the century when a leaf hopper was inadvertently introduced with sugarcane cuttings. The pest increased to such proportions that the very life of the sugar industry was threatened until parasites were found and established in Hawaii. Laws were passed by the Territorial Legislature in 1903 which rigidly controls the inspection and port-entry quarantine of plant material entering from domestic areas.

The airplane has increased the problems of insect pest dissemination not only through the movement of insects as stowaways, but also through the rapid movement of plant material. Plants may now have their place of origin in some foreign port and be at their destination in the United States in a matter of hours. Insect pests still in the egg stage, which is one stage in the life cycle difficult to destroy by fumigation or to see by inspection, may be attached to the plant material and not hatch until the plants have passed through inspection at the port of entry and are at their final destination. A combination of circumstances of this nature apparently occurred recently in Honolulu where a serious plant sucking bug of orchids, *Tontheocoris bicolor*, made its appearance in a port-entry quarantine house.

The airplane has also encouraged the shipment of more frequent and larger quantities of plant material since mortality of plants in transit is reduced. Although the procedures set up for inspection and fumigation at ports of entry are safeguards which have saved plant industry in America many millions of dollars, they are not leak proof. Moreover, the opportunities for leak are greatly increased as the volume of plant material imports rises. This is especially true when the volume suddenly increases beyond the working efficiency of the inspecting staff.

It is for these reasons that we strongly favor a strengthening of the Plant Quarantine Act of August 20, 1912, by the amendment proposed by Congressman Hope in H. R. 2950. The amendment will give the Secretary of Agriculture the discretionary power to limit imports of certain nursery stock as he may define by rule and regulation for propagation purposes. Such a limitation will not impair American plant industry from enjoying and utilizing the fruits of foreign research or discovery.

Yours very truly,

COLIN G. LENNOX,
*President, Board of Commissioners,
Agriculture and Forestry, Territory of Hawaii.*

The CHAIRMAN. We will be very glad to hear from you at this time, Mrs. Ash.

STATEMENT OF MRS. ROBERT ASH, BETHESDA, MD., REPRESENTING BETHESDA COMMUNITY GARDEN CLUB AND THE GARDEN CLUB OF CHEVY CHASE, MD.

Mrs. ASH. Mr. Chairman, I am Mrs. Robert Ash, a native of Texas, now residing in Bethesda, Md. I represent several large groups of organized amateur gardeners who have asked me speak for them against the passage of bills H. R. 2773 and H. R. 2950. These organizations are the Bethesda Community Garden Club and the Garden Club of Chevy Chase, Md. I am also authorized to speak for Mrs. Lewis M. Hull, president of The National Council of State Garden Clubs.

The CHAIRMAN. You are also speaking against S. 338, which is an identical bill?

Mrs. ASH. Yes, sir.

The CHAIRMAN. All right.

Mrs. ASH. Mrs. Lewis M. Hull, president of The National Council of State Garden Clubs, has already written to the chairman and I wish to ask that her letter be incorporated in the record.

The CHAIRMAN. Without objection, that will be done.

(The letter referred to is as follows:)

THE NATIONAL COUNCIL OF STATE GARDEN CLUBS, INC.

NEW YORK 18, N. Y.

BOONTON, N. J., May 31, 1947.

HON. CLIFFORD R. HOPE,

Chairman, Committee on Agriculture,

House of Representatives, Washington, D. C.

MY DEAR SIR: As president of the largest gardening organization in the world representing 175,000 amateur gardeners in 4,200 clubs in 41 states, I wish to bring to your attention my personal opposition to the passage of plant quarantine bills H. R. 273 and H. R. 2950. Although I am confident that our organization will endorse the following stand at its board meeting on June 16, I am sending you my personal conclusions which have resulted from extensive study of the situation, by consultation with professors of horticulture, our largest growers, our largest importers and plant pathologists of national note.

I believe the bill should be opposed for the following reasons:

We believe the needs of other nations for export markets are so great that before any bill is passed, barring entry of their products to America, every other means of solving the problem be explored.

If the embargo of certain horticulture products is necessary for the control of disease, that embargo should not be imposed until after a full public hearing has been held, with adequate public notice to all interested in horticulture, including amateur groups such as the National Council of State Garden Clubs.

We cannot condone the use of an embargo ostensibly to control disease but actually to bar the products of foreign growers as a means of eliminating competition. The member clubs of the National Council of State Garden Clubs will scrutinize carefully the lists of those supporting embargoes, and weigh carefully the reason for such support.

If protection for American industry is necessary, the imposition of tariffs designed to cover only those products in need of such protection is indicated.

For the sake of gardening and a more beautiful America, I trust that the committee will accept this opinion. I am enclosing a copy of a statement of Dr. Cynthia Westcott, our most noted plant pathologist.

Yours for gardening,

HELEN S. HULL

Mrs. Lewis M. Hull, *President.*

MAY 27, 1947.

Mrs. LEWIS M. HULL,
President, National Council of State Garden Clubs,
Boonton, N. J.

DEAR MRS. HULL: I am much disturbed by the proposed amendment to the Plant Quarantine Act of 1912 and hope that the National Council of State Garden Clubs will go on record as to their stand in this matter.

As a home gardener and also as a professional plant pathologist I am opposed to bill S. 338, which has already passed the Senate and, in its amended form, can limit the entry of nursery stock, and bulbs, to that needed for propagation purposes. I understand the bill H. R. 2773 is identical and has not yet been passed by the House of Representatives, having been referred to the House Committee of Agriculture and Forestry.

Since the Secretary of Agriculture already has the power under the original Plant Quarantine Act to prohibit importation of infested or infected stock any further authorization to keep out undesirable material is unnecessary. In my opinion all the bill would accomplish would be to deprive American gardeners of much pleasure and European countries of the means of rehabilitation.

Authorizing the Secretary of Agriculture to limit nursery stock and bulbs to that needed for propagation purposes only means that pressure groups can use the act as a tariff. Any such measure should be stated frankly as for the protection of American business interests and not hide behind the name of protection of plants from disease.

A number of years ago I spent a season working at the Bulb Research Laboratory at Lisse, Holland. I know how carefully the bulb fields are inspected for disease, and I also know that we already have here in this country the major bulb diseases and pests.

This last fall, as thanks for one or two food parcels, I received from the head of that bulb laboratory two enormous boxes of bulbs. Some of these were forced for winter cheer, many were given to friends and neighbors, and many others flourished, without the slightest disease, in my own garden. I know that hundreds of American gardeners received such gift packages this last season. But if the amendment to the Quarantine Act had been in effect all such gifts would have been unlawful.

Very sincerely yours,

CYNTHIA WESTCOTT,
Plant Pathologist.

Mrs. ASH. The National Council of Garden Clubs is the governing body of the federated garden clubs in 41 States. It represents 4,200 garden clubs with a membership of 175,000 people. This does not include the thousands of garden clubs which are not organized in the federation, but these other garden clubs are being notified by us and many of them have already stated their position as being willing to cooperate with us in our protest.

I am also authorized to speak for Mrs. William T. Hamilton, president of the Federated Garden Clubs of Maryland, who wishes to state her protest. She has also written to the chairman of the committee and I would like to request that her letter be entered in the record.

The CHAIRMAN. Without objection, that will be done.
 (The letter referred to is as follows:)

Hon. CLIFFORD R. HOPE,
Chairman of the Committee on Agriculture, for the
House of Representatives.

DEAR Mr. HOPE: As president of the Federated Garden Clubs of Maryland, I am strongly opposed to the passage of bills H. R. 2773 and H. R. 2950, concerning the importation of bulbs from foreign countries. I am informed that these bills passed the Senate without a hearing and are soon to come before the House of Representatives. I am sure in your position you would not wish to be responsible for action that suppressed the importation of Dutch bulbs of fine quality to which garden lovers have had access for many years. We, the organized Garden Clubs of Maryland, with more than 2,000 members, wish to protest these bills in the

strongest possible terms and call on you to use your most considered judgment and good offices to maintain the future bulb standards which can only be supplied from age-old sources, and not by greedy commercial growers in this country.

Furthermore, dollars for value received, from the United States of America to the Dutch Government is the fairest and most practical "charity" that can be accorded to any foreign country at this crisis.

Hoping to solicit your profound interest in this important legislation, I am,

Yours most sincerely,

MARIE J. HAMILTON,

Mrs. William T. Hamilton,

President of the Federated Garden Clubs of Maryland.

HAGERSTOWN, Md., Monday, May 25.

Mrs. ASH. The amateur gardeners of this country are a highly organized group, and this proposed legislation to deprive them of the right to purchase superior bulbs from Holland has resulted in an ire that almost nothing else could provoke.

To begin with, these same gardeners were Victory gardeners during the war. They tore up their flower beds to plant vegetables and worked untiredly to feed the world, so our surpluses could be sent there. Now that peace had come and they are gradually replanting their flower beds they can see no reason why they should be restricted as to where they can purchase their bulbs.

Domestic growers have either been unwilling or unable to produce bulbs of the same high quality as the Dutch. We feel that this is a way in which we can not only help ourselves but The Netherlands as well in their effort to rehabilitate by giving them a market for their fine agricultural export, a way in which they can get American dollars, which they in turn will spend in our own country to buy our consumer goods. This is the way we can help the Dutch, we believe, and it is a far better way than to take away their market and later give them the money in the nature of a loan.

Only yesterday the Secretary of State said that Europe is in dire need of help, that the need is as great as it was during the war. What is the use of sending help to them if we remove their most important means of trading with us?

If the domestic bulb growers cannot produce as good bulb stock as Holland, we believe they should either improve their methods or grow something in which they can excel. There is a very large market in this country for bulbs—enough for all concerned.

The organized amateur gardeners of this country are just getting their drive under way to oppose this legislation, but it will not be long until Congress will hear from every hamlet and village throughout the length and breadth of this country. Their protest will be long and emphatic.

We ask for our sakes as individual American citizens that we be given the right to purchase bulbs wherever they are grown the best. This hobby of gardening is dear to our hearts, and we feel through our efforts during the war we have earned the right to ask for it.

Thank you.

The CHAIRMAN. Are there any questions?

Mr. JOHNSON. I would like to ask the witness a question. In your opinion, is there any hazard at all of bringing in any insect pests through these bulbs?

Mrs. ASH. We believe that there is not. Many of us have grown for a number of years Holland bulbs which have been superior in

every way to the ones we purchased in this country, and we feel if the bulbs are sufficiently good to be brought in for propagation purposes they should be good enough for us to grow in our own gardens.

Mr. JOHNSON. The only thing we are interested in here is the hazard from insect pests. I want to see more Holland bulbs come into this country; I am very fond of them; but, if there is any hazard at all, we must safeguard ourselves against it.

Mrs. ASH. I have a letter here, which I would like to ask be entered in the record, from Cynthia Westcott, who is a well-known plant pathologist and who has given her opinion to Mrs. Hull, the national chairman, on that subject.

The CHAIRMAN. I believe Dr. Westcott's letter is included in the letter which was submitted by Mrs. Hull.

Mrs. ASH. Yes; it was attached, Mr. Chairman. It discusses that very point and, since she is an expert on the subject, I feel she is better qualified than I am to speak on it.

Mr. ANDRESEN. Mr. Chairman, I would like to ask a question.

The CHAIRMAN. Mr. Andresen.

Mr. ANDRESEN. Your objection to the legislation goes only to the provision relating to bulbs; does it not?

Mrs. ASH. Although the national council president said she wished we would oppose the legislation in its entirety, to the inclusion of nursery stock as well, our own position is just to exclude the words "and bulbs."

Mr. ANDRESEN. Is it the feeling that in Holland and other countries they produce superior bulbs and shrubbery to what they do in this country?

Mrs. ASH. I cannot speak for the shrubbery, but it is a recognized fact that Holland does produce the best tulip bulbs in the world.

Mr. ANDRESEN. I will not argue that. Of course you do not want them to come into this country, if they contain pests and diseases that might be spread around the country to some other food products or horticulture.

Mrs. ASH. No; we do not, Mr. Andresen; but it is our understanding that most of the diseases that exist here have already been imported into this country, so it would not exclude them after all.

Mr. ANDRESEN. We have had some types, that is true. I am sure you would not want diseased shrubs and bulbs to come in that would bring in new types of diseases.

Mrs. ASH. No; we would not; but we want that point to be proven.

Mr. ANDRESEN. That is why we want the authority and why we want strict inspection at the ports of entry.

The CHAIRMAN. You understand, of course, that we have been importing bulbs in this country for more than 100 years. I am just wondering if you do not think we probably have all the pests here already that exist anywhere, as far as bulbs are concerned.

Mrs. ASH. That is what we believe. That is the information we have been able to gather from various sources. We think that this is really an embargo to protect the American bulb growers and they are really trying to hide behind this disease myth.

Mr. ANDRESEN. Just one more observation, Mr. Chairman. You referred to the statement made by the Secretary of State, and I assume

he speaks for the administration, with reference to the need for doing business with Holland and other countries. Don't you suppose with this discretionary power lodged in the hands of the Secretary of Agriculture that he would play ball with the rest of the Cabinet and follow the instructions of the administration?

Mrs. ASH. We are not qualified to answer that.

Mr. GROSS. Mrs. Ash, you have been planting these bulbs personally for a number of years, have you not?

Mrs. ASH. Yes; 7 years, and I planted them last year and I have never had more beautiful ones or more perfect specimens. They came directly from Holland and they were disease-free.

Mr. GROSS. Did you ever get any bulbs from Holland that had any diseases that you know of?

Mrs. ASH. Never.

Mr. GROSS. You think that this is purely a move to protect the domestic bulb industry; is that right?

Mrs. ASH. That is my position, sir.

Mr. BRAMLETT. Mrs. Ash, are you qualified to know whether or not plants do have diseases? You spoke of working with bulbs that were disease-free. Are you qualified to answer that question?

Mrs. ASH. I am not a plant pathologist, but I have been a gardner for 20 years and I think I would recognize a disease in a tulip bulb after it grew. I have seen diseased bulbs, how they react, broken tulips, and so forth, and I know enough to recognize it.

The CHAIRMAN. Are there any further questions? If not, we thank you very much, Mrs. Ash.

Mrs. ASH. We appreciate your letting us come and present our position.

The CHAIRMAN. Mr. Beall, would you like to suggest the next witness?

Mr. BEALL. Mr. Chairman, if I may make a suggestion, I would like to ask that the committee hear Mr. William A. Sperling, representing the American Seed Trade Association.

The CHAIRMAN. We are very glad to hear you at this time Mr. Sperling.

STATEMENT OF WILLIAM A. SPERLING, REPRESENTING THE AMERICAN SEED TRADE ASSOCIATION, CHICAGO, ILL.

Mr. SPERLING. Mr. Chairman and members of the committee, my name is William A. Sperling and I am vice president of the Stump & Walter Co., of New York. I am speaking for the American Seed Trade Association. The American Seed Trade Association has a membership in about every State of the Union, several thousand members.

Many of us in the seed trade depend on the sale of bulbs grown in America, in Holland, in France, and in England for a substantial amount of our fall business.

I am personally very well acquainted with the bulb quarantine. I came down here in 1919 at the invitation of Dr. Marlatt as a bulb expert to attend a meeting. Present at that meeting were many of the members of the Bureau of Plant Industry, as well as Dr. Marlatt's members of the board, entomologists, plant pathologists, and nematol-

ogists. I came down at that time with a great deal of fear and trepidation that perhaps these bulbs did bring in some diseases and that we would be selfish in asking that they be allowed to come in. The discussion was on the need for entry of the principal items. There was a Dr. Orton present and he felt if we could eliminate unimportant items such as amaryllis and scilla, what we call miscellaneous bulbs, that they would be free to go along, allowing imports of these bulbs from Holland, from England, and from France. The principal bulbs that they allowed entry were tulips, daffodils, hyacinths, lily bulbs, lily of the valley principally from Germany, and crocus. The other bulbs they shut out as of July 1919. A group of dealers in Boston, Philadelphia, and New York came down several years later, because the plant expert in the Bureau of Plant Industry felt these bulbs could be obtained in this country. Well, it takes several years to grow bulbs and get them developed in the country. After 2 or 3 years we came down to several hearings that Dr. Marlatt called, and he eventually, in the fall of 1923, agreed to allow seven or eight more genus in what represented, in his opinion, very little more pest risk. But at the same time he advised that the daffodil bulbs, now known technically as narcissus, would be eliminated after January 1926. That caused the beginning of the bulb industry in this country. We on Long Island immediately bought substantial planting stocks from Holland. We bought sterilizing equipment so they could be properly sterilized and planted, and we were in the narcissus business.

Shortly after Dr. Marlatt died Dr. Strong came into charge and we had numerous hearings in which we asked whether our bulbs were clean. The Department officials we had stationed on Long Island—

The CHAIRMAN. May I interrupt you right there? I don't think it appears in your statement, but Dr. Marlatt and Dr. Strong were both former heads of the Bureau of Plant Industry, were they not?

Mr. SPERLING. They were heads of the Department of Entomology.

The CHAIRMAN. Yes; Bureau of Entomology.

Mr. SPERLING. Yes. During that time we got acquainted with Dr. Weigel, who was the expert on insects, and Dr. Weiss, who was an expert on plant diseases, such as virus diseases, and Dr. Steiner, who was a nematologist. These men visited these various farms from time to time and were of a great assistance toward giving us control so we could grow clean bulbs and ship them throughout the country. Now there were about 10 of us on Long Island, and there were a group in Oregon and Washington. It became very evident apparently—and my brief will so state it—to Dr. Strong, as time went on, that there never was a need for this daffodil quarantine. There are many publications of his which are a matter of public record. He would hold these hearings, and we came down, feeling that perhaps it should not be changed, that the entry of daffodil bulbs should be subject to sterilization. Now sterilization is tantamount to the entry of the material for propagation purposes, because you could not sell them if you wanted to, or were allowed to, you had to plant them. After awhile those restrictions were removed. I did not feel that I could justly oppose it, because I knew that we had to fight the diseases here and they were of no economic importance. I felt if we could not keep clean cultures and clean ground we would have no bulbs. It was not a question of disease, because if the bulbs were diseased you could not grow them.

The CHAIRMAN. You were acting in the capacity of an American grower of bulbs?

Mr. SPERLING. Yes. I began to come around to Dr. Strong's point of view. I had many talks with him. I felt we could compete, and I now feel that the 40,000,000 bulbs can adequately compete with the 250,000,000 bulbs coming from Holland. But the point I am stressing is that the Department, after a study of 18 years, are on record as being mistaken in making this quarantine in the first place. There was no reason for it, in my opinion. Now that has taken a long time to find out.

I notice there have been some technical questions asked here. I will be very glad to answer them for the committee, but I would like first to read a brief which I prepared. In other words, it took about 20 years to find out that we were wrong in relation to daffodils.

The CHAIRMAN. Does your statement include any figures as to the total production in this country and the total amount of imports of bulbs in the recent past?

Mr. SPERLING. I would have to make an estimate on the daffodils, iris, and tulips that are grown in this country. I would say last year there were 30,000,000 in commerce. As a matter of fact when Holland sent 112,000,000 tulip bulbs in here in 1939, and we were glad to get 3,000,000 from Japan and 13,000,000 from England. They started to send us tulips instead of bombs. In 1940 we were able to get 16,000,000 from England. We did not get any from Japan. In 1941 we got 34,000,000; in 1942 we got 37,000,000 from England, but by 1943 England began to get lend-lease, so we had a hard time getting tulip bulbs in 1943, notwithstanding the fact that there were probably 30,000,000 grown in Michigan, Oregon, Washington, Long Island, and North Carolina.

The CHAIRMAN. Roughly, what percentage of our current consumption of bulbs is produced in this country and what percentage is imported?

Mr. SPERLING. As to the bulbs that seem to be greatly in question, about 20 percent of the needs of the country are supplied in this country to the garden public throughout the country, and to the florist.

The CHAIRMAN. And there is nothing, so far as you know, that would keep our domestic producers from producing more bulbs, if they had the desire, the land, and the capacity to do so?

Mr. SPERLING. They would need, Mr. Chairman, more planting stock from Holland, and they would not hesitate to buy it there if they could. The point, however, is with the low value of the dollar the price of bulbs in Holland today is the highest in my 45 years of experience. Holland tulips of a top size, the May flowering varieties, cost about \$50 a thousand to get here. Twenty years ago the Hollanders could make a lot of money growing tulip bulbs at \$10 or \$12 a thousand. Today they need \$30 to \$40. They can grow them in Oregon, Washington, and Long Island for \$30; the only thing is they haven't got enough.

The CHAIRMAN. You will probably expand the domestic bulb industry as time goes on.

Mr. SPERLING. Anyone would be foolish to do it over a period of 5 or 6 years if they can produce them much cheaper in Holland, but

they apparently cannot. In other words, it looks like a good industry, as far as present price levels are concerned.

Mr. COOLEY. Isn't the present price higher? What are the present prices?

Mr. SPERLING. The present prices are three times what they were in 1937 and 1938.

Mr. COOLEY. How much is it in money?

Mr. SPERLING. It costs \$50 a thousand to get the top size tulip bulb from Holland this year, with the freight and duty, and last year and the year before, compared to about \$20 in 1935, 1936, and 1937.

The CHAIRMAN. You are speaking of wholesale prices?

Mr. SPERLING. The cost to the dealer or the florist.

The CHAIRMAN. What I would like to have you tell the committee is what would happen if we give the Secretary of Agriculture authority to limit the quantity of bulbs that might be imported and the Secretary should exercise that power. What effect would the exercise of that power have upon the consumption of bulbs in this country? In other words, I want to know whether or not it is necessary for us to import a large proportion of our bulbs, or whether we can grow them in this country, under present conditions.

Mr. SPERLING. There are two varieties of bulbs that we do not seem to be able to grow and nobody has any culture to establish at all: One is hyacinths and the other is crocuses. There are some of the other miscellaneous bulbs which should be allowed to enter if they are free of insect pests, and we think they are. The inspection service at Hoboken takes care of them very well. We have a very fine inspection service and very able men at the head of it. If you bring in anything that is diseased they burn it up or fumigate it or treat it.

The CHAIRMAN. If there should be a strict limitation to a total number which should be permitted to come in, or a limitation based upon those needed for propagation, where would the American gardener be as a consumer of bulbs? Would he be able to get anything like the quantity of bulbs for which there is now a demand?

Mr. SPERLING. The price might go up a little higher. There would be two things happen: The American gardeners would not have the bulbs. They would be too high priced. They would be denied something they should have, in my opinion.

The CHAIRMAN. In other words, doing the best that the American producers can do, they are not able to supply the quantity of bulbs that our people are buying, is that right?

Mr. SPERLING. In my opinion, Mr. Hope, after the daffodil quarantine we have in this country about 100 Dutchmen now, men of Dutch descent, who are familiar with the production of bulbs in Holland and who are growing them in this country. Even if we knew there would be an absolute embargo against it, with the progress we have made it would take another 10 years. Being allowed imports of substantial amounts each year, subject to postentry quarantine and for propagating purposes, it would take further restrictions.

The CHAIRMAN. In other words, the witnesses who are here, such as Mrs. Ash representing the garden clubs, are justified in having some apprehension as to whether they would be able to secure the bulbs they desire for planting if this legislation should be passed and put into effect?

Mr. SPERLING. They have every right to feel that some bulbs they would not have at all if they were denied entry.

My I read my brief, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. SPERLING. The writer has been authorized by the American Seed Trade Association to represent them as spokesman in protest of the inclusion of the words "and bulbs" on page 1, line 10 of of bill S. 338; also the words "including bulbs" on page 2, line 1 of bill H. R. 2773.

The American Seed Trade Association's position as regards this nursery bill is that we object to the words "and bulbs" being inserted in the bill that was originally intended purely as a nursery bill. We agree with the Secretary of Agriculture's findings in his letter to Hon. Arthur Capper, under date of February 7, 1947, which has to do with the original bill before it was amended to include the words "and bulbs" in the case of S. 338, and "including bulbs" in the case of H. R. 2773. In making that observation I want to say I thoroughly agree with the Secretary when he doesn't see any reason why the words "for propagation purposes" should not be eliminated. I agree they should be eliminated. I do not see any reasons for them, because the restrictions are strong enough if they are going to have a postentry quarantine.

The CHAIRMAN. On that point, you are speaking of both bulbs and nursery stock?

Mr. SPERLING. Both.

American seedsmen who have been handling bulbs from various European countries for a great many years, as well as in some cases growing them in our own country, are against the inclusion of this item of this bill as being unjustified from an entomological standpoint. The writer has had frequent conferences in the past with Dr. Strong, who was for a great many years at the head of the Bureau of Entomology during the period of time when the question of bulbs was repeatedly discussed in quarantine hearings. If we may be privileged to quote Dr. Strong, who after numerous hearings and public investigations made abroad in person had frequently commented to the writer his disbelief in the need for any quarantine on bulbs. The present bill authorizes the Secretary of Agriculture to consider bulbs as all bulbs. You cannot buy narcissus bulbs from France unless they are sterilized; you can buy them from Holland and England. France has not established a proper system of inspection yet. They are recovering from the war and they haven't been given help. They can establish limits. They can ship hyacinth but not narcissus bulbs at the present time, and if you bring them in sterilized you cannot sell them, you have to plant them. This is a blanket indictment against the importation of all foreign bulbs, however clean, now leaving countries with well-regulated systems of inspection and where every effort is made to give the gardening public of our country clean stocks.

Dr. Strong, in a bulletin issued by the Department of Agriculture on March 19, 1938, entitled "What Is Wrong With Quarantine 37," made the following statement on page 10 under "Bulb importation":

During the 18 years that quarantine 37 has been in force, almost no pest of material importance to the bulb industry has been found repeatedly on the bulbs mentioned that would justify continued stringent restrictions as to their entry.

The history of the quarantine on bulbs clearly indicates that the early quarantine on narcissus bulbs beginning in January 1926, was entirely unjustified as it was on other miscellaneous bulbs which were all later admitted unrestricted entry, subject to inspection at our port of entry, and from countries who had proper inspection regulations. We feel that this blanket indictment of all bulbs coming from foreign countries is entirely unjustified and not in the spirit of the Secretary of Agriculture's recommendation on quarantine legislation which he feels is necessary in the case of growing plants.

We are submitting for your earnest consideration the elimination of the words "and bulbs" the inclusion of which we, as seed and bulb growers in this country, feel is unjustified. In appearing before you, the writer is familiar with the early history of the quarantine, with particular reference to bulbs, since 1919. Our own farm found it necessary to grow narcissus bulbs on Long Island just previous to the exclusion of narcissus bulbs as of 1926 and still maintains these culture. We would not hesitate from time to time to replenish stocks from foreign countries if we found they were needed. We do not consider that the bulbs from these countries involve any greater pest risk when grown in Europe and shipped to other parts of our country, than bulbs grown here in America and shipped to other parts of our country.

I may be incorrect, but there are only two or three States that now maintain any daffodil restrictions or any quarantine against the interstate shipment of these bulbs. The quarantines have all been lifted, like the quarantine has been lifted for Europe.

- The CHAIRMAN. We will recess until 2 o'clock.

(Whereupon the committee recessed to 2 p. m. of the same day.)

AFTERNOON SESSION

The CHAIRMAN. The committee will come to order.

At the time the committee recessed this morning, we were hearing Mr. Sperling. He had concluded his statement. So far as I know, there were no members who wished to question Mr. Sperling. I guess he is back now anyway. Is he?

(Whereupon, there was no response.)

I do not see him. We will proceed with the next witness. Who will you have?

Mr. BEALL. Mr. Chairman, if you please, may we hear Mr. Harbosch?

The CHAIRMAN. Yes, sir; we will be very glad to hear you.

STATEMENT OF HENRY HARBOSCH, VICE PRESIDENT, HOLLAND BULB EXPORTERS ASSOCIATION, INC., NEW YORK, N. Y.

The CHAIRMAN. Will you identify yourself for the purpose of the record?

Mr. HARBOSCH. My name is Henry Harbosch. I am an American citizen and am vice president of the Holland Bulb Exporters Association of New York, functioning as straight representative in the United States for the Holland Bulb Exporters Association of Holland, an organization which comprises all of the trade interests in the Dutch bulb industry.

Allow me at the outset to express to your honorable committee my deep appreciation for permitting the Dutch bulb industry to submit, through me, its views on the pending legislation, which if enacted, would empower the Secretary of Agriculture to limit the importation of nursery stock and bulbs to that intended for propagation purposes, regardless of the state of health of such imports.

The nursery stock interest of The Netherlands, which would also be affected, at your leave, will submit their views to you separately and I will, therefore, restrict myself to some brief remarks on the quarantine situation and on the adverse consequences that the enactment of the pending legislation could have on the Dutch bulb industry.

The culture of flower bulbs of many kinds has been a centuries-old industry in Holland, for which its climate and certain sections of the country are peculiarly adapted and the welfare of this industry, which is practically synonymous with Holland, depends on the stability of its foreign markets.

Under a rigorous Government system of plant control in the bulb fields by an adequate competent scientific staff, whose efficiency is recognized by the United States Bureau of Entomology and Plant Quarantine, it has been possible to keep the cultures of bulbs in Holland at a high level of cleanliness and freedom from disease, without endangering at any time the health of the extensive truck-garden crops and field crops, which are simultaneously grown there side by side.

After a committee of the United States Bureau of Entomology and Plant Quarantine had made a personal inspection of the bulb fields in Holland and checked up on the Dutch inspection system, the Secretary, effective December 1, 1938, broadened the list of bulbs that may be imported from Holland into the United States unrestricted as to quantity or use. The Secretary also on August 25, 1943, lifted quantity limits on many kinds of bulbs and plant material, which until such time had been admitted in limited quantities only. The list of bulbs, that could be imported unrestricted as to quantity or use was thus broadened still further. Due to the fact that Holland was only liberated in 1945, the effect of such further liberalization on the part of the Secretary of Agriculture was reflected for the first time in the import figures for 1946.

In an address delivered by the late Dr. Lee A. Strong, then Chief of the Bureau of Entomology and Plant Quarantine, before the annual meeting of the American Association of Nurserymen, at Chicago on July 15, 1937, Dr. Strong, in reviewing the quarantine policy made the following statement:

At numerous public hearings and conferences held on this quarantine (quarantine 37) the evidence has forced one to conclude, that the greater interest was in trade protection than in pest protection.

On March 17, 1938, Dr. Strong, in a published statement in which quarantine regulations on such leading kinds of bulbs as narcissus, hyacinths, iris, and gladiolus, were discussed, said on page 10:

During the 18 years that quarantine 37 has been in force, almost no pest of material importance to the bulb industry have been found repeatedly on the bulbs mentioned that would justify continued stringent restrictions as to their entry.

In the same statement on pages 10 and 11, Dr. Strong also said:

As previously indicated, there is provision in the act for the Secretary of Agriculture to bring about the exclusion of a plant for pest risk reasons and the procedure to be followed is prescribed.

These are utterances of a learned and highly respected public official, who, until the time of his death was charged with enforcing the provisions of the Plant Quarantine Act of 1912. Is it any wonder, therefore, that the bulb growers of Holland fail to understand why it was deemed necessary on April 17, 1947, to add an amendment to S. 338, specifically including bulbs and which bill passed the United States Senate without discussion on April 21?

It has clearly been the policy of the Department of Agriculture to administer the provisions of the act of 1912 on scientific grounds and under it, to admit healthy and sound bulbs from countries maintaining an official plant inspection service with as few restrictions as possible and Holland being the foremost country of origin for bulbs, any change in this policy would, therefore, affect her more than any other country.

In 1946 there were admitted into the United States from Holland some 249 million bulbs of all kinds, unrestricted as to quantity or use, with a value of some 8 million dollars. In 1939, which was the last normal prewar year, approximately the same number of bulbs were imported from Holland.

These bulbs had all passed the official Dutch inspection service and had also passed the inspection of the Bureau of Entomology and Plant Quarantine upon their arrival here and before reshipment to florists, seedsmen, retailers and the public. The forcing of these bulbs by thousands of florists and the resale by seedmen and retail stores constitute an important source of income to American business. That all these bulbs are subject to rates of duty varying from about 7 to 15 percent of the value is, of course, known to your honorable committee.

Much could be said of the effects on the Dutch economy of the enactment of any legislation, that would empower the Secretary of Agriculture at any time to curtail imports of bulbs, as such action could very well reduce imports to only a fraction of the number of bulbs that are presently admitted into the United States unrestricted as to quantity or use. The effect of the use of such authority by the Secretary on the already precarious Dutch economic situation is so obvious that any comment of mine on this phase could only be a repetition of facts with which you gentlemen are already well acquainted. May it suffice for me to state that bulb exports from Holland to the United States in 1946 represented 30 percent of the value of the entire export trade from Holland to this country.

Under the provisions of the act of 1912, the Secretary already has full powers to refuse admission of any bulbs and plant material that does not meet with the health requirements of this country, and any further legislation that would broaden the Secretary's authority to such extent that perfectly healthy bulbs could be refused admission, or their importation limited to small quantities for specific purposes, could only create a permanent sense of insecurity to the growers and exporters in the Netherlands.

Mr. Chairman, I might add, you can easily verify and I believe you read this morning from the act, the Secretary has already the power to treat it, and in fact he does treat it, as shipments are being treated every week in Hoboken in the Government inspection house, but not necessarily from Holland.

It takes some 3 to 4 years of planning ahead to grow crops of bulbs of flowering size and the effect of any curtailment on short notice would, therefore, cause most serious losses to the Dutch bulb growers.

It has been stated at this hearing that the amendment "and bulbs" was added to S. 338 at the request of certain croft lily growers in the Northwest.

I believe in the State of Oregon, Mr. Chairman. Croft lillies are only one kind of bulbs and it so happens that this type of lillies are not grown in Holland.

Holland offers no opposition to Croft lillies such as grown in the State of Oregon. I do not know if I could make a statement off the record. I guess everything is the record.

The CHAIRMAN. Yes, you may.

Mr. HARBOSCH. May I be permitted to say a word as yet on the matter of comparative production and selling cost of bulbs. Under existing Netherlands Government regulations it is impossible, in fact even unlawful, to export bulbs from there at less than production cost, while on the subject of selling prices I can state that at present American growers can actually undersell the Dutch growers on a number of varieties of bulbs. This phenomena is caused mainly by the fact that American bulb farms are largely mechanized while in Holland most of the work in preparing the soil, in planting and in harvesting is still done by manual labor.

These are the reasons why I, on behalf of the Holland bulb industry, respectfully ask your honorable committee to consider if bulbs should not be specifically exempt from any amendment to the Plant Quarantine Act of 1912 that the Congress of the United States might deem necessary.

Thank you, gentlemen.

The CHAIRMAN. Thank you very much, sir. Are there any questions?

Mr. GILLIE. I was wondering—was that the specific reason that they didn't allow bulbs to come in to this country, this lily bulb? Did you have some trouble with that?

Mr. HARBOSCH. I believe there was a witness who made the statement that the amendment "and bulbs" was inserted at the request of lily growers from the Northwest. But lilies is only one kind of bulbs, and there are many kinds of bulbs.

Mr. GILLIE. Up to this time, have we ever had any trouble bringing any foreign diseases in with these other bulbs?

Mr. HARBOSCH. Holland imports small quantities of lilies but not the type that are grown in the Northwest. And the type of lilies which Holland brings in, which are entirely different, have not carried any diseases and have not been denied entry on account of diseases.

Mr. GILLIE. Have they ever brought in any diseases that you know of?

Mr. HARBOSCH. There is no record of it that I know of.

The CHAIRMAN. Do you have any figures that would give us any idea as to approximately what proportion of the imported bulbs go to private individuals and what proportion are for florists?

Mr. HARBOSCH. Yes, indeed, Mr. Chairman. The trade has been changing more or less, because the public has gotten more interested in bulbs, particularly in tulips, tulips being bulbs that are really publicized in the public schools in this country.

The last few years—or let me speak freely for 1946, because 1945 was still an abnormal year—Holland was obliterated in May, and it was not a complete selling year, because no salesman could come over, and no one could get assurances that he could get deliveries.

But 1946 was the first postwar normal year. In 1946, 60 percent of the total bulb imports from Holland into the U. S. were intended for outdoor planting.

About 9 or 10 percent was imported by American bulb growers to replenish their depleted American plantings, because it is a matter of record that you can verify with the Bureau of Entomology and many other places that all these so-called American bulb farms every year need some fresh blood from Holland, not because these gentlemen aren't capable enough to propagate but because the climate isn't right here.

Then, the other 30 or 32 percent of the imports go to American florists, who plant these bulbs in their greenhouses for cut flowers and also for pot flowers. They are largely sold on Mother's Day.

Mr. GILLIE. It is rather interesting when you get into growing bulbs. I grow a few at home. I have some pure red ones, if you want to call them that, or high-priced ones.

Mr. HARBOSCH. Those are the kind we like to sell, sir.

Mr. GILLIE. What I was trying to get at—and perhaps you can answer this question—you send to the dealers and get some of these high-priced bulbs, but if you go to the 5- and 10-cent store, you can get, at 10 cents or 20 cents, a dozen such bulbs. Where do they come from?

Mr. HARBOSCH. The limit the price varieties sell—the 5- and 10-cent stores sell—they do not sell them a dozen for 10 cents any more. They sell them two or three for 10 cents today. They are usually what we call a second or third size, a smaller-sized bulb not giving as big a flower as the other. They come from Holland almost entirely. A few come from American farms, but the American grower simply hasn't got them to supply.

He gets rid of all of his crop, but he hasn't enough. So they almost all have to come from Holland.

Mr. GILLIE. But some have lost their identity, and they do not know what they are.

Mr. HARBOSCH. That is right. Bulbs were imported into the U. S. this year for propagation purposes. They are Holland bulbs. They are planted on an American farm. The next year they get a certain certificate of citizenship, and then they are American bulbs.

Mr. GILLIE. Possibly 5 years ago, I asked, in an advertisement, for 150 bulbs, \$1.50. They were bulblets. It took about 3 years to mature them.

Mr. HARBOSCH. On that subject, I may say something else. The Netherlands Government takes a very active interest in the export

trade which—they have to, through necessity, because of the difficult economic crisis. At the present time, it prohibits the exportation of bulbs that are not of flowering size, just in order to prevent that any good will would be lost.

Mr. GILLIE. Do you know of any diseases that affect these bulbs in Holland? Do they have any diseases over there to attack these bulbs of flowers?

Mr. HARBOSCH. Sir, there isn't a living thing that does not carry another living thing. I guess if a doctor would cut us up he would find us full of microbes. They are not necessarily harmful. Some of them are even useful.

The Bureau of Entomology and Plant Quarantine has on several occasions made personal inspections of the control system in Holland. We have a very fine set of scientists there. As a matter of fact, I have several gentlemen here who could testify to that point. They want to keep whatever pest there is.

There always is a pest somewhere. But a pest is not always a dangerous thing. It is maybe a misnomer. An insect is not always a pest. There are insects everywhere. I think another gentleman is going to testify something on some foreign insects that were imported into Holland. I am an American citizen today, and my face would be red if I knew the origin of those insects.

Mr. GILLIE. That is all.

The CHAIRMAN. Mr. Harbosch, are there any insect pests or diseases affecting bulbs in Holland that we do not now have in the United States?

Mr. HARBOSCH. Not a single one, Mr. Chairman.

The CHAIRMAN. We have all that you have in Holland?

Mr. HARBOSCH. Whatever insect pests or diseases that are known in Holland are known here, and they are in both places, to my knowledge. I am not talking as a scientist. I would have to get one of our professors up here from Holland to testify really with more authority.

But from what I know, there are not any that are not existing in both sides of the world.

The CHAIRMAN. Thank you very much, sir.

Mr. HARBOSCH. Thank you very much, gentlemen.

(Whereupon the witness was excused.)

Mr. BEALL. We will hear Mr. Springer, please.

The CHAIRMAN. We will be glad to hear from you, Mr. Springer.

STATEMENT OF GUSTAVE SPRINGER, SECRETARY, AMERICAN WHOLESALE BULB DEALERS ASSOCIATION, INC.

Mr. SPRINGER. My name is Gustav Springer. I am secretary of the American Wholesale Bulb Dealers Association.

The association has within it—within its membership—the principal wholesale merchants in the United States, of imported garden bulbs. Although they import over \$4,000,000 worth of bulbs annually, this constitutes only a segment of their activities.

A larger portion of their business consists of buying and selling American-grown products. In consequence, they are vitally interested in the development, prosperity, and health of American horti-

culture. Nevertheless, the association finds it necessary to oppose the proposed legislation and wishes to present its reasons for the committee's consideration.

Under the existing act (sec. 160, ch. 8, title 7, U. S. C. A.) the Secretary of Agriculture is authorized to forbid the importation of bulbs whenever he finds it necessary to do so in order to prevent the introduction into the United States of plant diseases or insects "new or not theretofore widely prevalent or distributed within and throughout the United States." This power granted the Secretary is, in our opinion, sufficiently broad and effective to protect American horticulture.

Garden bulbs are one of the healthiest of plant products. This is evidenced by the fact that although many Federal and interstate quarantines exist—in this connection, may I point out that the witness this morning from the State of Oregon stated that they are very fearful of all the pests and insects which are going to flood their State, and it is interesting to note that the State of Oregon is one of the States that has a quarantine but on narcissus only.

If the people of that State were so fearful of insects and pests, why do they not get their own State governments to protect them—put up their State barrier and keep them out of Oregon. It is very interesting that they do not.

It should be noted that when S. 338 was submitted to the Department of Agriculture for its opinion and comment, it did not include the provision for bulbs now present in the bill. The Department's approval, therefore, refers to the importation of nursery stock and not necessarily that of bulbs.

Further, may I point out that the Secretary of Agriculture made two recommendations for amendments to the bill, but he did not feel it important enough to ask for an amendment including bulbs in the bill.

Although the proposed legislation purports to be a plant health measure, it is in reality an instrument for the protection of American horticulture from foreign competition.

We appreciate that certain portions of American horticulture may require tariff protection in order to compete with foreign-grown products. Such protection is a proper subject of tariff legislation and not of a so-called plant health bill. American growers, if they feel they cannot compete because of higher costs of production, have the right to appeal to the United States Tariff Commission for an investigation under section 336 of the Tariff Act. Congress, if it feels that these American growers require more protection, can by resolution of either or both Houses direct the Tariff Commission to conduct such investigation, or may increase the duty by amending the Tariff Act.

American horticulture, in the field of garden bulbs, is not capable of supplying the needs of American people at the present time. Since it is estimated that it would take between 5 and 10 years of intensive propagation before adequate stocks could be marketed by American growers, the only result of limiting the importation of foreign bulbs would be to restrict the supply and drive the price of bulbs out of reach of the average citizen.

Under the bill as presently worded, the Secretary of Agriculture could immediately, and without a hearing, limit the importation of this commodity. It is submitted that no Government official should

be empowered to take such a drastic step without first granting an opportunity to interested persons to be heard; and secondly, insuring that the domestic supply of the article under consideration was sufficient.

Creating artificial barriers to the international exchange of commodities is contrary to the established American policy of assisting in the rehabilitation of our war-torn Allies. American imports must be increased if we are to sustain our present volume of exports and also assist our heroic Allies in rebuilding their countries.

One of the principal exporting countries of garden bulbs is Holland. In 1946 Holland exported approximately 7½ million dollars of bulbs to the United States. By American standards, this amount is a comparatively modest sum. Its importance to Holland, however, becomes obvious when we determine that the bulb trade with the United States constituted 33 percent of the exports of the Netherlands to this country.

May I point out that the imports of bulbs, so far as American imports are concerned, amount to 0.0017 of 1 percent in value. In addition, Holland is not the only country from which we import bulbs. France and Belgium also supply considerable quantities.

If we wipe out this source of dollars, Dutch economy would be seriously affected.

The Secretary of Agriculture in his letter to Senator Capper giving the Department's views on the bill (Rept. No. 102), states that his Department would "require not more than a nominal increase in appropriations." With Congress engaged in pruning the budget and a cut of 32 percent being proposed in the Department of Agriculture appropriation, the possibility for sufficient personnel and funds being available to enforce this law seems doubtful.

The American Wholesale Bulb Dealers Association, Inc., respectfully recommends that the words "and bulbs" be deleted from S. 338 and H. R. 2773. We believe that the bills in their present form would benefit only a few individuals, to the detriment of the entire country, both on the international and domestic scene.

Thank you, Mr. Chairman and the committee, for giving me the opportunity to present these views to you.

The CHAIRMAN. We thank you for the helpful information you have given the committee. Are there any questions on the part of the members of the committee?

(Whereupon, there was no response.)

The CHAIRMAN. I would like to ask you, Mr. Springer, what would be the effect on the importation of bulbs if the requirement were made that bulbs be placed under postentry quarantine under the supervision of the Department of Agriculture?

Mr. SPRINGER. Might I say, Mr. Chairman, that I doubt whether that thing could be enforced. In the Report No. 1 or 2, where the Department of Agriculture in its discussion of S. 138, referring to quarantine No. 337, under which they did have postentry quarantines—they state:

Some 20 years ago, the Department promulgated quarantine No. 337, the nursery stock plant and seed quarantine, which brought together the restrictions governing the entry of nursery stock from abroad. In regulations adopted under

this quarantine, the Department, in its brief that it had the legal right, sought to limit the quarantines of imported nursery stock, to maintain certain postentry supervision over it, and to exercise a degree of control over its use by issuing permits for its entry for propagation only and by other restrictions. Through the year, for a variety of reasons, these regulations were modified because of difficulty in enforcement and finally were revoked because the legality of this procedure was questioned by the legal staff of the Department.

I think postentry quarantine, inspecting all the bulbs that come in here after they enter the country, would be a tremendous job to ask any governmental department to do.

The CHAIRMAN. Are there any further questions?

If not, that is all.

Mr. ZIMMERMAN. I think the provision of this bill requires the Department of Agriculture to make these tests in the foreign country or their own country after the bulbs are brought here.

Mr. SPRINGER. That is possible. After they are received, the Government is supposed to watch that bulb as it grows.

Mr. ZIMMERMAN. For what purpose?

Mr. SPRINGER. To see whether there are any latent diseases or insects and pests that may crop up after the plant duly starts to grow.

Mr. ZIMMERMAN. Then they will make a report to somebody that it is good or bad?

Mr. SPRINGER. Yes; and if they are bad insects they might order it destroyed right then and there. But as one of the gentlemen this morning pointed out, you will have already introduced it into this country, and certainly if you are going to stop it, stop it at the border before they come in.

And the Secretary does have the power right now which he exercises. Several of the Congressmen pointed out they tried to bring some stuff in on a plane. There was one little bush which was stopped at the airport that wasn't permitted in. That is the way it is being done.

Mr. ZIMMERMAN. Why do we need this bill?

Mr. SPRINGER. That is the reason we are here opposing the introduction of such a bill.

Mr. ZIMMERMAN. I just heard the tail end of the testimony.

I am wondering myself. I have read the bill over. If the Department of Agriculture has the power now to stop these bulbs, and plants from entering the country, to inspect them before they enter, and we are doing it, all this adds is just to watch them while they grow here awhile.

As you say, if the disease gets in the soil, it is here.

Then they tell us about it.

Mr. SPRINGER. It might not be necessarily bulbs. It was pointed out by Mr. Boeing yesterday, his people down in Florida had mulberry trees, they were sent to New York and were fumigated and it killed them. They stopped the importation of mulberry trees. People are on the job and they are going to do a good job and have all the power they need.

The CHAIRMAN. Thank you very much.

Mr. SPRINGER. Thank you, sir.

(Whereupon, the witness was excused.)

STATEMENT OF MRS. HEYWOOD BROWN, MEMBER AND PAST PRESIDENT OF THE NEIGHBORHOOD GARDEN CLUB OF ARLINGTON, VA.

Mrs. BROWN. I am Mrs. Heywood Brown, a member and past president of the Neighborhood Garden Club of Arlington, Va., and I come as a representative of the Virginia Federation of Garden Clubs.

The CHAIRMAN. You may proceed, Mrs. Brown.

Mrs. BROWN. I represent the Virginia Federation of Garden Clubs, numbering 196 clubs and 6,455 members, who, while in a convention assembled in Richmond, Va., on May 20 and 21, 1947, went on record as opposing these bills for the following reasons:

We believe it puts into the hands of one man, or a very small group of men, the power to bar from the United States the importation of plant materials that are now benefiting millions of florists and gardeners, both professional and amateur, while at the same time they might be giving great benefit to a very small minority group.

We believe we have had protection in the past, and would welcome an improved system of protection in the future, on the part of our own United States system of protection service.

We especially oppose the inclusion of bulbs, because in our experience, real perfection in bloom is to be obtained through the use of the Dutch bulbs more than any other material that we have ever used. It is a matter of record that in 1936 the United States Department of Agriculture sent a commission to the Netherlands to investigate the plant-inspection system of that country.

This commission reported that the Netherlands was one of the most highly trained and best-equipped forces in existence, and gave it a very high rating.

During last year the Dutch people exported to the United States goods amounting to 39,250,000 guilders, over half of which was bulbs. During the same year, they imported from the United States in rehabilitation materials 50,000,000 guilders, including grass and clover seed.

This means that they bought from us about 15 times as much goods as they sold to us.

It is a matter of general knowledge that during the past year the Dutch people took the very same boxes in which we had sent them good food and clothing for war relief and returned them to us filled with their wonderful bulbs as an expression of their great appreciation of what our country did for them in their hour of disaster and great need.

It seems highly unfitting that we should accept this fine gift and plant these bulbs in our parks throughout the Nation and then deliberately close our doors or make it possible to close our doors to the importation of their plant material, especially under the guise of self-protection.

Let us protect ourselves from diseased materials, yes; but in these times of great international stress, and when the restoration of war-torn countries is so important to the whole world, the Virginia Federation of Garden Clubs believes that there are better ways of protecting ourselves than by the methods proposed in the bills under discussion.

I think that is all, and I thank you.

The CHAIRMAN. We thank you very much, Mrs. Brown.

Are there any questions?

(No response.)

The CHAIRMAN. If not, we are very grateful for the information which you have given the committee.

Mrs. BROWN. Thank you.

(Whereupon, the witness was excused.)

The CHAIRMAN. Mr. Strong, we will be glad to hear from you at this time.

STATEMENT OF GEORGE STRONG, OF THE SILVER SPRING GARDEN CLUB, THE TAKOMA HORTICULTURAL CLUB, THE WOODRIDGE GARDEN CLUB, THE WOODLAWN GARDEN CLUB, AND THE MONTGOMERY COUNTY MEN'S GARDEN CLUB

Mr. STRONG. My name is George Strong. I live in Bethesda, Md. I am authorized to speak in behalf of the Silver Spring Garden Club, the Takoma Horticultural Club, both of Maryland; the Woodridge Garden Club of the District of Columbia; the Woodlawn Garden Club of Arlington, Va.; and the Montgomery County, Md., Men's Garden Club, of which I am a member.

This latter club consists of business and professional men, including nurserymen, who seek relaxation and pleasure out of their gardening hobbies, and specialities in bulbs, azalias, roses, dahlias, and so forth.

We buy the best obtainable and hybridize and obtain better varieties, if possible, and spend time and money in so doing. Nurserymen have no monopoly as propagators of bulbs, and of plants. We are their customers and not competitors. We object to limiting imports of bulbs under the pretext of insect or virus control.

Dutch bulbs are grown everywhere in the United States, and if they ever were infected, which we doubt, it is now too late to protect us from our folly in preferring the best.

Domestic flowers have smaller blooms, are less true to color, more prone to disease, less sturdy, more malformed, and shorter stemmed than Dutch bulbs. Our soil or climate or drainage or know-how fails to produce high-quality bulbs. Even the best Dutch bulbs deteriorate after 1 year in our soil.

Tulip shows had to be abandoned during the war, because domestic bulbs were not deserving of any prizes, but with Dutch bulbs now available, the show have revived.

I might say that in that connection, I contacted the Department of Agriculture and they advised me that if the Congress placed the bulbs in this law, in a way in which they have not been in the past, they would construe it as a mandate from the Congress to restrict the importation of bulbs to the point where we would not be able to buy them as in the past.

I hope that if the committee does enact legislation, they will be very careful in their report and in the discussion on the floor of the House, to make it clear to the Department as to just what is intended.

It is a law of construction that the lawyers in the Department of Agriculture, in construing the legislation you gentlemen enact, can resort to the report of the committee and top the discussion on the floor with reference to your desires and intent.

Also, we oppose limiting the importation of nursery stock to that which commercial growers need for their own propagation purposes. We desire to propagate such stock for our own pleasure, rather than wait on the nurserymen to supply us with such stock at a prohibitive price. We favor reasonable control of disease, but believe that the Department of Agriculture can be relied upon to cooperate with the States so as to safeguard agriculture, without depriving us of the privilege of being growers on a noncommercial and noncompetitive, personal basis.

I might say that in our club out there, we have some of the retired members of the Department of Agriculture. Only last night we had a lecture by an entomologist and specialist of the Department of Agriculture, and a retired man, who is developing new types of the ordinary lily, new colors and new types.

They are not available in the market. No nurseryman has them. When the nurserymen get them they will have to get them from him. It is a hobby and a vocation with him. We have other members of the club, lawyers, businessmen, who are developing new types of plants, and we feel we should be encouraged in that activity.

Some of you have spent time and money to do creative work in this, even as other amateurs are doing in other fields of many human endeavors. All of the plant patterns and patents are not going to the professional nurserymen. We think we should be encouraged and not discouraged by those commercial interests whose sales depend upon our love of flowers and upon our good will.

Thank you very much, gentlemen. If you have any questions, I would be glad to endeavor to answer them.

The CHAIRMAN. Mr. Zimmerman has a question.

Mr. ZIMMERMAN. Do you know who is sponsoring this bill?

Mr. STRONG. I understand that it is an Oregon group of lily growers. Yes; the nurserymen indicated that they weren't favoring the bulb provision, or the limitation to propagation purposes. And in this morning's session, the Congressman from Oregon and a representative of the bulb growers out there appeared. We understand that one of the Senators from Oregon is sponsoring the provision of bulbs being placed in the Senate bill. They want this in, and it is our belief that while they say that they are very much concerned about protecting us from insects, it is our judgment, and it is my own opinion, based on what I have heard, and the contacts I have made at the Department of Agriculture, that their real purpose is to establish an embargo in bulbs so that they will be in the position to dominate the market, and to obtain a very high price for a low-quality bulb.

Mr. ZIMMERMAN. Who is their competitor on a foreign basis.

Mr. STRONG. The principal one, of course, would be the Dutch growers.

Mr. ZIMMERMAN. Do they claim that the Dutch bulbs come in here and do that?

Mr. STRONG. They argued this morning that they could develop a quality bulb, but if they do it, we have not seen it yet.

Mr. ZIMMERMAN. Do they say these bulbs that come over here have been infected with a latent disease?

Mr. STRONG. They indicate that there are potentialities for disease. They don't go quite that far.

Mr. ZIMMERMAN. Do we legislate against potentialities?

Mr. STRONG. We feel you should be realistic in this matter.

Mr. ZIMMERMAN. I wanted to know the source of this thing and for the legislation. You say the nurserymen are disclaiming this.

Mr. STRONG. They did; yes.

Mr. ZIMMERMAN. They disclaim any interest in this bill?

Mr. STRONG. So far as bulbs were concerned, and insofar as limiting it to propagation.

I would like to add one other thing. One of the clubs asked me to offer some resolutions. That is the Silver Spring Garden Club, and I wish to have that included in their record, please.

The CHAIRMAN. That will be made a part of the record.

(The resolution is as follows:)

Whereas many types of high-grade bulbs are usually obtained by importation; Whereas garden enthusiasts throughout the United States purchase large quantities of imported bulbs each year;

Whereas individuals should be permitted to obtain and propagate new varieties of bulbs;

Whereas the principal export product of one of our Allies in the last war, is bulbs;

Whereas the only way this ally can ever repay her war debts and obtain funds to meet her current needs is to export bulbs;

Whereas bulbs are notably free from disease and have not been under quarantine for many years;

Whereas there is ample Federal legislation to prevent the importation of diseased bulbs, should such occur;

Whereas the importation of bulbs furnishes employment for many persons engaged in commerce and trade; and

Whereas there is before the Eightieth Congress and particularly the House Committee on Agriculture, a proposed bill H. R. 2773, and other similar bills, which would give the Secretary of Agriculture the authority to restrict the importation of bulbs except for the purpose of propagation: Now therefore be it

Resolved by the Silver Spring Garden Club through its officers and its individual members in official meeting assembled, That we are opposed to restrictive legislation of this type, particularly with reference to the restriction on the importation of bulbs; and be it further

Resolved, That no action be taken by Congress, or the Secretary of Agriculture, with regard to the restriction of the importation of bulbs except to control disease, without first having held a public hearing which had been previously well advertised to garden enthusiasts.

Adopted without dissenting vote at the regularly called meeting of the Silver Spring Garden Club on May 19, 1947.

RALPH E. TORREY, *President.*

Mr. GILLIE. I was going to ask you, when you had your meeting the other night or last night, this retired entomologist, what did he have to say concerning the possibility of disease coming off of these bulbs?

Mr. STRONG. All of our information from these people is there isn't such a thing. Whatever diseases are already in our soil and are existent, and it is our view that we are more in danger of diseases from our own nurseries than we are from any foreign nursery.

The quality of bulbs that were received during the war, I was away in the Army and this is hearsay, it was so low that they quit having these flower shows for tulips and bulbs because they didn't merit any kind of a prize.

Their domestic nurserymen there had their opportunity during the war to develop a quality bulb, if they could, so far as we are informed, they completely failed.

Mr. GILLIE. I do agree with that. Do you know whether the United States Department of Agriculture has experts in Holland to investigate the possibility of diseased bulbs?

Mr. STRONG. I would rather the Department of Agriculture speak for itself on that. They are much better qualified. I believe they have. I think they have been doing an excellent job.

The CHAIRMAN. Mr. Strong, you are familiar, are you not, with the present quarantine laws?

Mr. STRONG. Yes, in a general sense.

The CHAIRMAN. As they apply to bulbs?

Mr. STRONG. Yes.

The CHAIRMAN. As a consumer, and a purchaser of bulbs, are you satisfied that you are afforded sufficient protection under the present laws?

Mr. STRONG. That is our opinion, sir.

The CHAIRMAN. Thank you, Mr. Strong, for helping us out in this matter.

Mr. STRONG. Thank you, sir.

(Whereupon, the witness was excused.)

STATEMENT OF ARTHUR DUMMETT, GROWERS' REPRESENTATIVE AND DEALER IN NURSERY STOCK AT WHOLESALE, BERNARDS- VILLE, N. J.

Mr. DUMMETT. My name is Arthur Dummett of Bernardsville, N. J.

I represent a great many growers and nurserymen that I come in contact with, most of them men that do business of from \$10,000 to \$100,000 a year, that buy and sell material, both retail and wholesale, and some growers.

In order to sort of introduce myself, perhaps I had better give you a little background, so you will wonder who I am, and why I am, and so forth.

My father was a Cornishman. He migrated from England in 1865. He was an estate superintendent until he saved enough money to go in business. So I grew up in the nursery business. As a young man, I went abroad. I worked in the Palm Garden in Frankfurt-on-the-Main in Germany. I traveled in Belgium, England, Holland. I have been all through the bulb fields and through the nurseries in Holland, and they are the finest nurseries in the world. There are some here that are very fine, too, but there are a lot of them that are not.

My dad imported perhaps 50 or 60 years ago a quarter of a million bulbs a year. He was one of the biggest importers of Holland bulbs. We grew them under glass, forced the flowers and shipped them to the New York market. I have been in the florist and nursery business for years—for 50 years—in fact. We did landscape work for many prominent people, like Joe Rhinehart, president of Schubert Theaters, Mr. Frick, the steel man, Mr. Stadler, vice president of the Standard Oil Co., and plenty of small jobs too, which I was as proud of as any of the others.

During the war, I was furnishing material for the United States Government under the United States Army Engineers, for camouflage work.

Now, I am going to be very brief, because I know you will follow my remarks, and I know you folks get tired of all this stuff, but I prepared a letter, and I may add a line here and there, ad lib a little bit, if you don't mind, because some things have developed since I have been here.

The most destructive bug in this country today is the humbug. The legislation known as S. 338 is the most vicious, greedy, asinine law that could be put on the statute.

We will be sorry and pay for it some way sooner or later. Most people do not want charity. They want a chance to earn a decent living. Holland and Denmark are agricultural countries. They are poor. Do you want to hand them a sandwich or your old clothes; then kick them in the shins?

It is just greed, pressure groups, lobbies, rackets. We are known, regardless of what we give away, as money mongers, dollar worshippers, shylocks. We want to sell, but not to buy. On the other side, we are known as suckers.

The bill by no means has the majority support of nurserymen, florists, or entomologists.

This bill has been promoted by a few big, influential, short-sighted, narrow-minded growers, mostly of roses, and some of the foreigners, mostly Dutch, who have established small nurseries in this country to propagate the same class of material have trailed along to keep out competition. With prices controlled by the Holland Government and costs higher in Europe, just as they are here, 25 percent duty, freight, insurance, brokerage, and so forth, there is no unfair competition.

A large percentage of members of the A. A. N. and various nursery associations who claim to favor the so-called stopgap legislation have been among the heavy importers. If bugs annoy them, they are inconsistent to say the least.

Only one side of the issue has been presented to the trade. New York State, yes, has more than 850 dealers and growers of nursery material, and I would not know how many florists. They are approximately 140 members of the New York State Nurserymen's Association, about 65 of whom are members of the A. A. N.

The question of this law was introduced by Dick White, secretary of the A. A. N. at a regular 1946 meeting of the New York State Association, and the resolution offered by a member, who I feel pretty sure was not the author of it, on a Saturday morning, the last day of the meeting in the Pennsylvania Hotel, when some 16 to 20 members were present after the banquet on Friday night.

My recollection is that 14 voted for it, 2 against it. So it goes down in history as having the support of the New York State association. What happened at all other State meetings, I do not know.

Thomas Roland of the S. A. F. wrote me a resolution was presented and unanimously carried at the Society of American Florists favoring this law. How many were present at the meeting, I don't know. I do know many florists knew nothing about it.

Now for bugs: From the Rural New Yorker, April 1946, in reference to insects:

A goodly number of these creatures have been stowaways, hiding in lumber, bulbs, packing cases, or any kind of cargo shipped here from abroad.

From a magazine article:

Insects in vast swarms fly from mainland to Bermuda, from the coast of California to the Hawaiian Islands, and from the United States to Europe, more than 3,000 miles. Swarms of butterflies have been met in the Atlantic and the Pacific Oceans a thousand miles from the land.

From a local newspaper:

The total interceptions of insects by the United States Quarantine officials in 1944 included 1,237 brought in by airplanes and 322 found in shipments of mail. Ellis Island in New York Harbor, according to accounts, was filled in with earth to build up from 2 to 30 acres, and I am told similar material was used for fill on East River Drive in New York City, from ships which brought it in as ballast.

From a news article:

The European corn borer cost the American farmer millions of dollars in 1945. It did not come in nursery stock, neither did the Dutch elm disease or the Gypsy moth.

We have plenty of native bugs, more than in Europe, and bugs do not travel one way. Therefore, I contend limitation will not have the desired result. Nursery stock is and has been for years imported to England, Russia, Norway, Sweden, and into Canada with balls of soil.

Inspected at destination with no restrictions. The duty is 15 percent, not 25 percent. It can, after being grown on in Canada, be shipped to the United States duty-free. And I have been told the only requirement is a statement as to origin for which authorities have here accepted their word.

Bugs could fly the Canadian border and the Rio Grande. Limit import means nothing. A firm can bring in limited amounts under a number of permits, patent the material, give it a name, and it commands a good price.

My statements are facts. So much for bugs.

Some statements accredited to nurserymen favoring bill S. 338:

We can get the support of many other powerful groups. If this law is not passed, we will be behind the eight ball. Citrus stock and white pine and other items are embargoed, and some bamboo and similar items of no concern to this industry.

Why of no concern?

One statement I personally must take exception to, namely; "Subject to inadequate inspection at port of entry." "Open 1 box out of 50." and so forth.

I can state from experience that is unfair and not so. I have attended at the plant bureau. Every case is opened and contents carefully inspected, fumigated where considered necessary, and a report as to quarantine and conditions is made and a copy sent to the importer.

The cooperate is paid for by the importer. The staff is courteous, helpful, and efficient, and adequate extra help is brought in from other offices during the rush season, and they work early and late.

Some nurserymen must have had enough influence to have a building erected in Hoboken which cost the taxpayers almost half a million dollars, which I expect is peanuts these days, for no other purpose whatever, and fully equipped, than to inspect plant material?

In whose fertile brain did that idea originate, and why?

I'll wager the same ones who now want limited importations, in the guise of keeping out bugs. My permit number last year was 39248, so some people must have done a lot of limited importing when the quarantine law was presumably in force.

This year, by number is 40439. If limitation would keep out bugs, I would be for it. I favor import with proper supervision and inspection. No limit or no import at all. Now, from a common-sense business standpoint, people in Europe need farm equipment, tools, trucks, automobiles, busses, cars, locomotives, radios, refrigerators, washing machines, farm seed, vegetables, and what have you.

Ninety million dollars worth of fresh fruit a year is exported in normal times. If you could see the long lines of trucks loaded with all kinds of goods for abroad, waiting to reach the Hoboken docks.

We cannot continue to be a sort of involuntary Santa Claus. Self-interest should be intelligent. Curtailment and suspension of trade will lead to economic disadvantage to both parties. From a New York City newspaper:

Trade deficit at record high; Canada exported \$83,000,000 worth in March, while imports were \$165,000,000. Deficit in January, \$56,000,000; February, \$67,500,000.

From a current issue of the American Exporter:

Commercial exports from this country are expected to exceed \$7,500,000,000. This is exclusive of remaining lend-lease accounts, which are expected to amount to an additional one and a half billion.

Recent tabulations showed 47 nations with 108 governmental supply missions now functioning here, and noted slow progress in liquidating.

From another newspaper:

Foreign trade reports indicate United States exports will hit peacetime record of 10 billion dollars this year.

There are a lot more important matters than helping a few special interests in their idea that by so doing they might make an extra dollar. When a mere boy, I heard talk of the fatherhood of God, and the brotherhood of man.

I respectfully suggest you defer action on this bill, until you can look into the matter more thoroughly, hear both sides, and get the facts. Then decide on the real issue.

I have one more thing; Mr. Moyer from the plant bureau, spoke here against and about the insects coming in. Here is the latest issue of the American Nurseryman:

At the meeting of the National Plant Board, March 26 and 27, at Des Moines, Iowa, reported briefly in the May 1 issue of the American Nurseryman, resolutions and recommendations approved covered topics designed to aid nurserymen in the control of insects, and diseases of plants.

The Federal Government and the various States were urged to seek adequate funds both through regular appropriations and Hope-Flannigan funds, for organizing a Nation-wide Federal-State cooperate insect pest and plant disease information and service.

The suggestion is that such a service be organized, and was prompted by the facts that new insect and disease pests now may be readily transported into this country by airplane, that many pests are spread by air currents, or may be distributed by seeds or other plant products, that research workers and producers and processors of plant products and manufacturers of insecticides and fungicides must have accurate information on the occurrence, spread, and damage caused by insect pests and plant diseases and that there are, at present, no adequate national, regional or, except in a few cases, State sources of such vital information.

Because the extended use of airplane freight and passenger transportation brings with it the possibility of transporting injurious insects and plant diseases into the country and because the Secretary of Agriculture is not authorized to make regulations governing transportation by air, the National Plant Board adopted a resolution suggesting that appropriate action be taken to give agriculture the proper representation with respect to problems of air traffic.

It was also resolved that the Chairman of the National Plant Board should appoint a special committee to study the problem and promote action among the States.

Noting that appropriations made by Congress for the control of the Japanese beetle have not taken into account the larger areas involved nor the higher operating costs brought about by present conditions, the board recommended increased appropriations of at least \$150,000.

As the cooperative State and Federal barberry eradication project has been operating for several years with inadequate funds, the board also recommended that at least \$2,000,000 of Federal funds should be made available annually for the operation of the project, until the initial work can be completed, and the rework can be brought up to date.

It was suggested that increased Federal funds of \$100,000 be made available for prosecution and intensification of the program for control of the gypsy moth in the northeastern United States.

That's all we need, is more appropriations and committees; let's have some appropriations. There is nothing in this whole law that we are talking about, except the limit of the amount of stock you could bring into this country, because if you refer to section 1 of the Quarantine Act of 1912, the Secretary of Agriculture has had, and now has, the power to control, which means fumigation, confiscation, of any nursery stock, under his assistants.

Also, under section 8, he has the power of control of interstate movement. So there is nothing in all this talk about bugs, coming in or going out. It is just a question of the amount that you can bring in. He already has that power. Nobody wants to take it away from him.

I imported a lot of material. I have been in the Plant Bureau. I left a lot of that because I don't want to pay for the time. We have to pay for opening and closing cases. The nurserymen said there are inadequate inspections. They open one out of 50 cases. That is not true, as I have said.

Mr. ANDRESEN. As I understand it, you believe there should be a free movement of nursery stock and bulbs coming into the United States.

Mr. DUMMETT. I believe it should be unlimited under proper supervision and inspection. That means, I believe, an inspection and supervision. I believe in trying to keep out whatever bugs there are, but my contention is that that is only one small way, and as you hear from my letters that these bugs come in. That doesn't keep them out.

Mr. ANDRESEN. It is a little difficult for me to understand how the inspectors, by opening these cases and looking at it, can discover whether there is anything in the way of bugs or a mosquito.

Mr. DUMMETT. I agree with you. It is impossible to be positively sure that there isn't, way down in there somewhere, a little female insect. That is true, and that applies to everything else. But to do give it as much inspection as it is possible normally to do it. They couldn't do much more than count the plants and tell you how many they have.

Mr. ANDRESEN. And you referred to importing nursery stock from other countries. Now, I take it that you are in the business of selling nursery stock?

Mr. DUMMETT. I am, yes; wholesale.

Mr. ANDRESEN. Do you sell any retail?

Mr. DUMMETT. No, sir.

Mr. ANDRESEN. Just wholesale business?

Mr. DUMMETT. That is all.

Mr. ANDRESEN. Do you handle quite a large volume?

Mr. DUMMETT. No; a small volume. I have reached an age where I don't want to handle a large volume. I don't have to.

Mr. ANDRESEN. Have you been in the business a long time?

Mr. DUMMETT. I have. The only nursery stock I have now is my little place where I live, some things from California, or Denmark, or Holland or something that I can't buy here, and I want to see if it will grow in our climate, it is for my own pleasure or to show it to somebody.

Mr. ANDRESEN. You buy most of your supplies from people in this country who sell wholesale, or abroad?

Mr. DUMMETT. I represent one of the biggest nurserymen in the East on a commission basis. They are broadminded people, and I represent a nursery in Portland, Oreg., in the East, that are specializing in certain kinds of material. I sell for a number of boys in New England that grow what we call lining-out stock. They know how to grow it, and sell it. Then I do a little jobbing. I will buy a thousand azaleas or 500 dogwood or something I know I can sell.

Mr. ANDRESEN. You are what?

Mr. DUMMETT. A broker and jobber.

Mr. ANDRESEN. You secure a large percentage of your supplies from other growers in this country, or most of them abroad?

Mr. DUMMETT. Most of my material comes from growers in this country, yes; most of them. In fact, all of it has for many years. So it doesn't make much difference to me. I can live whether they bring it in or not.

Mr. ANDRESEN. Your appearance here, then, is largely as a man who is interested in securing supplies at the lowest possible price, and selling them to your customers on the wholesale market?

Mr. DUMMETT. At a big price, no, sir. My interest is getting material for my customers, that they can't buy in this country for any price, at the present time.

Maybe it will some day. That is the idea of a few of these Dutchmen that have become established here. They don't care now. There are a lot of these people who say, "They don't need me now." I used to get commissions from them. They give me the commission anyhow, they don't need me to sell, they can't fill their orders.

But there are a lot of things, magnolias, pink dogwoods, I would just as soon get them here. It isn't a question of price, hybrid rhododendrons, the Japanese maple. There is a lot of stuff.

Most of the men that do business here are Dutchmen. They are really the nurserymen. There is no question about it.

Mr. ANDRESEN. They are good people.

Mr. DUMMETT. I don't know how good they are, but they are good nurserymen. In my estimation they average up about the rest of the men all over the world. There are good, bad, and indifferent.

Mr. ANDRESEN. Do you find you have a bigger margin of profit on what you import?

Mr. DUMMETT. By golly; the money I gave to the American Express Co., I haven't gotten a bill from them yet, but I am afraid that when I get their bill the margin of profit will be so small that I wouldn't have enough to pay for the girl and boy who take care of my business for me.

No; it isn't the most profitable.

Mr. ANDRESEN. Then you would make more money in dealing with bulbs produced in this country.

Mr. DUMMETT. No, I will make more money on the other, too, because I will charge more for it. I will make more for it. If I can't make a profit, what is the use of being in business? We all make mistakes, and we all sell too cheap sometimes. But the trouble this year is that the costs have gone up so materially it costs \$2 and a quarter an hour for the fellows who open and close the cases. You have to have a truck to go to the dock. You folks know it. I don't have to tell you.

Mr. ANDRESEN. You appreciate that during the war years a good many men working in our nursery industry had to go to war?

Mr. DUMMETT. Sure, I know a lot of them. I knew boys that had a business. I was in a store in New York, and a young customer of mine, if you want to know something of those things, he was on the telephone trying to sell his store. I said, "What is the idea?" he said, "I have to go in the Army." I said, "Do you mean if you can't sell you have to walk out of here?" He said yes, he had a lease, but they couldn't hold him for lease. I know all about that.

Mr. ANDRESEN. Those boys are getting back into the business, and I hope they can produce for you.

Mr. DUMMETT. I hope so, too, and I hope I can help them in any way I can.

Mr. GILLIE. I would like to ask you, as an expert on growing flowers, and so forth—

Mr. DUMMETT. Don't ask me about bugs, I don't qualify on insects and plant diseases.

Mr. GILLIE. Is there any possibility of any serious possibility of bugs and germs affecting roses, and carnations and zinnias, and so forth?

Mr. DUMMETT. You are asking me about bugs.

Mr. GILLIE. Do you think there is a possibility?

Mr. DUMMETT. I wouldn't know a thing about it. All I know about bugs is my contact with them, and if you would like to hear a little about that, I will tell you, about the Japanese beetle and some other things.

Mr. GILLIE. We have heard about that.

Mr. DUMMETT. Not what I am going to tell you.

Mr. GILLIE. The reason I asked you that question, you will notice our chairman whom we all love and admire.

Mr. DUMMETT. He is a fine fellow, too, and we have both got flowers on.

Mr. GILLIE. You will notice in the lapel of his coat there is a flower. I want to say this, that I hope your group will always do its very best to see that flowers be kept healthy and well taken care of, because we will always want to see our chairman properly boutonniereed when he comes to the committee.

Mr. DUMMETT. I am sure you do, sir.

The CHAIRMAN. Thank you very much, sir.

Mr. DUMMETT. Thank you also, sir. I appreciate very much your permitting me to come here and saying what I had to say.

(Whereupon, the witness was excused.)

Mr. BEALL. Mr. Chairman, I would like to be heard on behalf of some of the folks.

The CHAIRMAN. We will be glad to hear you.

STATEMENT OF J. NINIAN BEALL, ATTORNEY AT LAW, WASHINGTON, D. C., ON BEHALF OF THE NATIONAL CEMETERY ASSOCIATION, WASHINGTON, D. C.; MASSACHUSETTS HORTICULTURAL SOCIETY, BOSTON, MASS.; LIMITED PRICE VARIETY STORES ASSOCIATION, INC., NEW YORK CITY; BLACK DIAMOND STEAMSHIP CORP., NEW YORK CITY; PETER HENDERSON & CO., NEW YORK CITY; AND THE HOLLANDIA GARDENS, SOUTH VIENNA, OHIO

Mr. BEALL. My office is in the Investment Building, Washington, D. C. In deference to a request by the chairman, I have been authorized to present the views of a number of parties that would otherwise have made individual appearances here, and to that end, I am instructed to express the views of the National Cemetery Association; the Massachusetts Horticultural Society; the Limited Price Variety Stores; the Black Diamond Steamship Co.; Peter Henderson & Co., seedsmen of New York; the Hollandia Gardens of South Vienna, Ohio.

Each of these parties have prepared statements which I ask merely permission to hand in and have copied into the record, because I do not propose to read them to you, nor to repeat in what I have to say what is here, so if I may—

The CHAIRMAN. Without objection, that will be done.

(The prepared statements are as follows:)

THE NATIONAL CEMETERY ASSOCIATION,
Washington 5, D. C., June 2, 1947.

HON. CLIFFORD HOPE,

*Chairman, Committee on Agriculture, House of Representatives,
Washington, D. C.*

DEAR SIR: The purpose of this letter is to protest the inclusion of bulbs in the proposed legislation to amend the Plant Quarantine Act of August 20, 1912. We understand that S. 338 was amended by the Senate Committee on Agriculture to include bulbs and that a similar bill including bulbs is proposed in the House of Representatives in H. R. 2773.

For many years the cemeteries and memorial parks especially have been buying thousands of bulbs from Holland because they have found that those from that country are (1) better bulbs, (2) have a greater variety of color, and (3) their price is more reasonable.

Surveys indicate that bulbs from producers in the United States do not measure up in quality to those imported from Holland. During the war years domestic bulbs were not grown in quality or quantity sufficient to provide for the large displays which cemeteries use. We feel therefore that the enactment of any restriction in the importation of bulbs would work a great hardship upon local cemeteries and is economically unsound.

If our American buyers are going to enjoy a free market to get the best for our American public it is perfectly obvious that they must be able to buy where they can do so most advantageously. This cannot be done if the above bills giving the Secretary of Agriculture the power to prohibit the importation of bulbs are passed by Congress. There appears to be no economic justification for the enactment of this legislation which is not in the interest of the American

public. It has all the earmarks of a trade barrier in the disguise of a quarantine regulation. We sincerely hope that you and your committee will disapprove such legislation.

Respectfully yours,

L. O. MINEAR,

Chairman, National Cemetery Association Legislation Committee.

STATEMENT FROM ARNO H. NEHRLING, EXECUTIVE SECRETARY OF THE MASSACHUSETTS HORTICULTURAL SOCIETY, BOSTON, MASS., IN REFERENCE TO HOUSE BILL NO. 2773

It is the desire of the undersigned that the word "bulbs" be stricken from the bill under consideration by this committee.

It is considered that the inclusion of bulbs in the list of plant material barred from importation into this country would work a great hardship upon horticultural organizations, upon bulb merchandisers and upon gardeners everywhere in the United States, both in making the price of bulbs prohibitive and in creating a scarcity of this type of material, particularly tulips, hyacinths, crocuses, scillas, snowdrops and similar species, the bulbs known generally as spring-flowering bulbs.

It is our opinion that, save in the case of daffodils, American production in these spring-flowering bulbs is not now, and probably will not be in the near future, capable of providing a quantity sufficient to meet the needs of the Nation. It is also our opinion that, save in the case of daffodils alone, American production cannot be assured now or in the near future of supplying the American market at a price anywhere near as low as Dutch bulb producers ask.

In particular, it is our opinion that the resulting hardship will bear most heavily upon four distinct categories of American consumers.

First, the home gardener: The spring-flowering bulbs, in April and May, afford gardeners of all types and incomes with the bulk of color for their gardens. Without tulips, crocuses and the rest, our spring would be devoid of much of the grace and beauty so widely welcomed and desired. Yet, without a sufficient supply of bulbs, and of bulbs at a price sufficiently modest to be within the reach of gardeners of small income, such spring color would vanish.

This would be particularly a hardship upon gardeners of small budgets, gardeners who now purchase several million dollars of these spring-flowering bulbs imported from Holland each autumn, when they are planted for spring flowering. The loss of this color, it is also desired to point out, would also work a hardship upon the great majority of American citizens for, although there are many citizens who do not garden personally, there is hardly an American who does not enjoy the beauty of tulips and the rest in the gardens of his neighbors as well as in public plantings.

SECOND. The seed stores would suffer a great financial loss in the lack of such material to sell to the public. These seed stores, who must maintain their retail establishments on a year-round basis, depend in no small degree upon autumnal sales of Dutch bulbs, for these bulbs are sold at a period of the year when otherwise sales would be very small.

THIRD. The importers of Dutch bulbs and the wholesalers, who supply retail establishments, would similarly suffer a decline in business. It is desired to point out that this would result both in a loss of employment and in a loss to the Government in various forms of revenue not only on municipal levels, but also at State and Federal levels.

FOURTH. The loss of bulbs, whether because of the scarcity or because of increased prices, or both, would be a very serious handicap to the great spring flower shows. These shows, such as those as Boston, New York, Philadelphia, Cleveland, Chicago, Detroit, St. Louis and elsewhere, depend upon spring bulbs for a large part of their power to attract the public to their shows.

Since the income from these shows, in most cases, is a vitally necessary element in the financing of various horticultural societies, the loss of the spring shows would seriously curtail their activities. Since these activities are all on a nonprofit and educational basis, in fact, the one great source of information and inspiration of the millions of home gardeners in this country, the barring of imported spring bulbs would seriously affect the support, the maintenance and the development of gardening in this country. The importance of the work of the horticultural societies may be measured by the fact that, in the recent tremendously successful victory gardening program, it was the societies who

accomplished a great deal of promotion and maintenance work, in fact, in many instances supplied not only the leadership but the information that made the program possible.

For these reasons, therefore, it is our opinion that the word "bulbs" should be stricken from the bill as it stands.

ARNO H. NEHRING.

Memorandum in opposition to the enactment of H. R. 2773, H. R. 2950 and S. 338 to amend the Plant Quarantine Act approved August 20, 1912.

LIMITED PRICE VARIETY STORES ASSOCIATION, INC.,

New York 18, N. Y., June 3, 1947.

Hon. CLIFFORD R. HOPE,

*Chairman, House of Representatives Committee on Agriculture,
Washington, D. C.:*

In opposing the enactment of this legislation, the Limited Price Variety Stores Association, Inc., believes that it is acting not only for its members, but that the position it presents is clearly in the general public interest, and not for the benefit of any group or segment of the public.

Character and extent of the membership of this association: The Limited Price Variety Stores Association is a national trade association organized as a membership corporation, incorporated under the laws of New York. It is composed of 814 individuals, partnerships and corporations. They own and operate retail stores dealing in general merchandise mostly in the price ranges 5 cents, 10 cents, and up to \$1. Over 700 of these individuals, partnerships and corporations are the proprietors of single stores, individually owned establishments.

It is estimated that the members of this association obtain over 90 percent of the retail trade of limited price variety stores in the United States. The services of this association to its members are those of any national trade association.

Viewpoint on proposed amendments to the Plant Quarantine Act: The members of this association are concerned about these proposed amendments to the Plant Quarantine Act of 1912 because they have been engaged in the retail sale of imported flower bulbs for upward of 50 years.

At the outset it is important to emphasize that the members of this Association do not question in any way the beneficial purposes of the Plant Quarantine Act of 1912. One of the most important of these purposes is to keep out of the United States diseased and unhealthy flower bulbs from foreign countries which do not maintain adequate inspection services.

On the other hand, we do emphatically question the need for amending the Plant Quarantine Act of 1912, as proposed in H. R. 2773, H. R. 2950 and S. 338. These amendments would permit the Secretary of Agriculture without notice or hearing to stop the import of flower bulbs for resale even though the flower bulbs are perfectly healthy and even though they have been properly examined by properly qualified inspection authorities in the exporting country.

Here it may be helpful to recite some of the facts about the retailing of these imported flower bulbs in which our members in their variety stores have been engaged for the past 50 years. First of all, the flower bulbs sold in our stores are the modestly priced garden types. People buy these to give their homes the note of springtime cheer which can be supplied only by growing flowers.

Crocus, which botanically speaking are not a bulb but a form of tuberous root known as a corm, retail in our members' stores for about 3 for 5 cents. Tulip bulbs have retail prices of 4 cents to 8 cents each. Hyacinth bulbs sell in our stores for 10 cents to 15 cents each. The same price range prevails for daffodil bulbs and the bulbs in the same family that are variously designated as narcissus and jonquils.

The success of the limited price variety stores has rested for more than half a century on their ability to bring to their customers the staple, everyday merchandise that they want at prices they are able and willing to pay. To maintain this advantage, variety stores must be acquainted at all times with the best available sources of supply. They have sold millions of flower bulbs to their customers for the past 50 years and right down through the spring of 1947. Our members, therefore, feel that they are as well informed as anyone could be about trustworthy and dependable sources of supply.

Here are the facts about these sources of supply.

1. **CROCUS**: Holland is the only source of supply of the corms for resale to home gardeners.

2. **HYACINTH**: Holland is the only source of supply of bulbs for resale to home gardeners.

3. **TULIPS**: Home gardeners have found that the tulip bulbs produced in the United States are not suitable for garden growing. Holland is the only source of supply of bulbs for resale to home gardeners.

4. **DAFFODILS, NARCISSUS, AND JONQUILS**: Variety store customers prefer the bulbs imported from Holland to the United States grown bulbs.

It is not the purpose of this petition to offer opinions and suggestions on the tariff policy of the United States. Rather it is felt that if a change is to be made in the import policy of the United States with respect to flower bulbs for garden growing, the matter should be approached directly. The laudable purposes of the Plant Quarantine Act of 1912 should not be twisted in an effort to control or eliminate competition in the sale of flower bulbs. We do not presume in this petition to advise this Committee or the Congress on whether or not the needs of our country require the development of a strong and well-established flower bulb growing industry at the expense of our imports from Holland.

Rather we say that this is a matter of national policy that should be considered and adopted openly and directly and not through subterfuge. Moreover, it should not be overlooked that the indirect approach eliminates entirely any possibility of helping to meet the revenue needs of our country through tariff receipts.

We do think it is proper nonetheless to use this occasion to mention the debt of all free people to the brave men and women of Holland. They resisted the unspeakably brutal Nazis with a fury and a determination that stands unmatched. Their stubborn resistance helped to hold back the enemy until the armed forces of the United States could take their place in the battle lines.

The ruins of Rotterdam and other open cities still stand as silent reminders of the ruthless destruction visited upon them. The people of Holland are willing to work and are working to erase the war damage and build anew. One way in which they work with a skill that is world renowned is in the production of flower bulbs for resale for garden growing. The proceeds from their sales of these bulbs in the United States are used here to buy needed materials for rebuilding. Whether or not to cut off or reduce this commerce is a matter for the Congress to decide.

We say simply that if it is the will of Congress to cut off or reduce this commerce the proposal should follow the well-established and time-honored course of other tariff legislation. The splendid and useful purposes of the Plant Quarantine Act of 1912 should not be turned to this end. The law should not be amended in the manner proposed in H. R. 2773, H. R. 2950 and S. 338.

Respectfully submitted.

PAUL C. OLSEN.

STATEMENT TO BE SUBMITTED TO THE HOUSE COMMITTEE ON AGRICULTURE AT
HEARING ON THE PLANT QUARANTINE BILLS ON JUNE 5-6, 1947

BLACK DIAMOND STEAMSHIP CORP.,

New York 6, N. Y.

Black Diamond Steamship Corp., incorporated under the laws of the State of Maryland, and its predecessor corporations, have been operating Black Diamond Lines, a regular American-flag steamship service between North Atlantic United States ports and Holland and Belgium, since 1919. For many years, we have transported a large percentage of the nursery stock and flower bulbs exported from Holland to the United States and we are, therefore, very much interested in any legislation concerning their importation to this country.

When we first started our service in 1919, the Holland-America Line, a Dutch-flag steamship company, was carrying all of the nursery stock and flower bulbs shipped to the United States from Holland. For a while thereafter, this situation continued. It was not long, however, before we were able to persuade the Dutch shippers that in the interest of trade in general, and of theirs in particular, they should support the American-flag line, as well as the line operating under the flag of their own country. We obtained that support almost a quarter of a century ago and it has since been loyally given to us year after year.

It is a well-known fact, as the Department of Commerce will undoubtedly readily substantiate, that the balance of trade between the United States and

Holland is unfavorable to the latter in the extreme. Holland suffered more during the last war than any other country in western Europe and, as a consequence, is in vital need of many of our products, including foodstuffs. In order to pay for these imports from the United States, Holland has had to rely, to a great extent, on loans obtained in this country, where its credit reputation is excellent. Obviously, however, this situation cannot continue very much longer.

The scarcity of dollars can safely be considered as the reason why the United States has not been exporting in even greater quantities to Holland. To cite just one example, fresh fruit is not being exported to Holland from the United States, as was the case before the last war, since the Dutch consider it necessary to use their limited dollars in purchasing other products, including coal, grain, and lumber in huge quantities. As a result, not only does the Hollander suffer in not being able to obtain this commodity for his restricted diet, but the American fruit grower has lost a good market.

It seems obvious to us that if the United States is to retain Holland as a market for exports, there must be a material increase in imports from that country, thereby increasing its supply of dollars.

In 1946 our company transported to Holland from United States North Atlantic ports on our regular berth service, excluding charters for full cargoes, a total of 41,420 payable tons. In the reverse direction, from Holland to the same United States ports, we carried a total of 18,430 payable tons. We have good reason to believe that all other berth steamship lines in the same trade had even greater proportional excesses in their outgoing cargoes over their incoming cargoes.

During the same year, the most important commodity which we carried from Holland consisted of nursery stock and flower bulbs, the total payable tonnage having been 11,200, or 60.8 per centage of our in-bound freight tonnage.

It is apparent from the figures cited in the preceding two paragraphs that without the nursery stock and flower-bulb traffic our in-bound carryings during 1946 would have been of relative insignificance when compared with our carryings of export freight.

During recent months, imports from Holland have definitely shown no improvement.

A steamship company cannot operate profitably for long in a "one way trade." The issuance of restrictions by the government of one country, limiting or excluding the imports of another country, soon, of necessity, result in the limitation or exclusion of the exports of the former. The steamship line serving the trade concerned is then caught in the middle and soon finds that it has no trade at all.

We therefore are certain that if any such restrictions are applied to nursery stock and flower bulbs, the American merchant marine would lose more than the traffic represented by these two commodities, important as they are.

Senate bill S. 338 and House Resolution 2773 appear to go far beyond the recommendations of the Secretary of Agriculture, since the importation of nursery stock and bulbs from foreign countries can be arbitrarily limited, without a public hearing, to stock for propagation purposes only, by the Secretary, even though grown under conditions prescribed by him.

House Resolution 2950 would appear to do the same, excepting that it is limited to nursery stock only. For many years the Dutch growers of nursery stock and flower bulbs have relied on a market in this country and have been able to freely dispose of their goods here. Any issuance of regulations reducing these imports to the nominal amounts involved in propagation would be most unfair and most discouraging to Holland, a friendly nation, and to the Dutch producers of nursery stock and flower bulbs, who have been most fair in their dealings with the American-flag line serving their country. Such regulations would also be harmful to American exporters, including producers of lumber, grain, and, eventually, domestic fruit growers who rely on foreign markets, since the dollar exchange available to the Dutch for the purchase of these American products would be reduced.

We therefore respectfully submit that the enactment of any law permitting the arbitrary issuance of regulations restricting the importation into the United States of nursery stock and flower bulbs, without a public hearing, would not be in the interest of the United States.

Respectfully submitted.

V. D. SUDMAN, *President*.

PETER HENDERSON & Co.,

New York 7, N. Y., June 2, 1947.

To the Honorable Committee of the House on Agriculture, House of Congress,
Washington, D. C.:

May we enter our protest to the inclusion of bulbs in bill S. 338, now placed before you for consideration.

As a business such as ours is dependent upon the sale of spring-flowering bulbs during the early autumn months, in order to keep our employees employed and thusly keep our staff together to be available for the spring rush, it would cause a serious hardship for us if it were necessary to abandon the autumn bulb business.

During the war years when such European bulbs could not be imported, the slack was taken up by the great increase in vegetable or so-called victory gardens by amateurs throughout the country. However, since the impelling patriotic motive no longer exists, a very large percentage of these gardens have been abandoned.

It is our belief that the control measures now being employed by the entomologists of the United States Department of Agriculture are a sufficient deterrent to insure careful vigilance on the part of the European exporters so that only clean, disease-free bulbs find their way to our shores. Our 1946 importations all arrived in excellent condition; and as our trade demands only high-quality top-sized bulbs, we are forced to obtain these from the Dutch growers, as such bulbs are not yet produced in sufficient quantity in the United States to supply the demand. We are confident that the reasons that impelled the removal of the 1926 embargo law in 1939 are as evident today as they were then and that spring-flowering bulbs should be permitted to be imported without further restrictions.

Respectfully yours,

PETER HENDERSON & COMPANY,
JOHN A. FIESELER.

THE HOLLANDIA GARDENS,
South Vienna, Ohio, June 3, 1947.

The honorable MEMBERS OF THE HOUSE COMMITTEE ON AGRICULTURE,
Washington, D. C.

GENTLEMEN: As an importer of bulbs and plants, I ask your consideration of S. 338, H. R. 2773, and H. R. 2950.

I just returned from Holland a few weeks ago and was greatly impressed by their efforts to again become the self-supporting people they always have been. I was in their bulb-packing houses, their flower markets, and their nursery centers, and anyone interested in growing and marketing horticulture products wonders how it is possible for a country which had practically everything of value taken away from them by the Germans to progress as they have; how they allow themselves to be taxed until practically every cent is used to restore themselves.

As a member of the American Association of Nurserymen I am interested in the welfare of the association and its members; however, as an American citizen, I am aware of the responsibility we have toward a people who are earnestly trying to help themselves. They need our help and cooperation in selling us the products they can produce and we can use. Holland, with as competent entomologist and horticulturist as any in the world, is not going to harm us but can teach us much. I ask your serious consideration not to approve this bill.

Respectfully yours,

THE HOLLANDIA GARDENS,
MARK AUKEMAN.

Mr. BEALL. I would like, with your permission, to take 2 or 3 minutes to give a general summary of the propositions of these parties.

The National Cemetery Association is a national organization, and they represent a large group of buyers, so they are important from that standpoint. They do not buy for the purpose of resale. They buy for the purpose of beautifying the cemeteries throughout the United States, and they buy large quantities of Holland bulbs, and that is the basis of their interest in this matter.

Their views, otherwise, are set forth at length in the statement.

In Massachusetts, the horticultural society is interested in bulbs, and they complain of the lack of quantity and quality and variety of American bulbs. Their principle interest is in the gardener, who buys bulbs for his own use and not for propagation.

They also appear to be interested to the point of not wanting to see the industry distribution of bulbs centered in nurserymen. In other words, they don't want nurserymen under this business to have a monopoly of it to the exclusion of the seedmen of the country.

The Limited Price Variety Stores Association represents 814 firms; and, as I understand it, that is what we commonly refer to as the 5- and 10-cent store group.

They retail many bulbs and have been doing so for 50 years, and as to the quantity they require, their only source of supply is Holland.

Then they make the observation that they don't think the United States tariff policy should be confused with quarantine legislation, which limitation on imports in the proposed bill seems to them to suggest.

The Peter Henderson Co. of New York are seedsmen, and they are a very large concern. I think they are probably the first or second in size in New York. Bulbs are an important part of their business. They were certain to be injured by the loss of their fall bulb trade.

The American supply of good bulbs is entirely inadequate to meet their demands.

The Black Diamond Ship Co. is an American-flag line. For many years they have been handling traffic to and from Holland. In fact, they have been handling traffic to and from Holland since the First World War. They handle bulbs and nursery stock, and the Dutch give the American-flag line a good deal of business, even in competition with the Dutch ships because we buy Dutch products.

They observe that the balance of trade is badly against Holland, and Holland needs our agricultural products and exchanges in order to get them.

They cannot buy what they want now; and on their lines, at least 2 tons go to Holland for each ton that comes out of Holland.

In 1946 bulbs and nursery stock represent 60.8 percent of the west-bound tonnage from Holland, handled by the American merchant marine.

The Hollandia Gardens is an American nursery, and they are members of the American Association of Nurserymen, and they file a very brief statement, stating in general that they do not think that our trade relations with Holland should be disturbed to the point of disruption and are opposed to the bill on those grounds.

In addition to those comments which I have made with respect to these individual parties, there are four or five general observations, or comments, which seem to be common to all of them; and I would like to just mention, without arguing them, what they are.

S. 338, as amended, and as including bulbs, apparently was not submitted to the Secretary of Agriculture for comment on the bulb angle, so the comments of the Secretary of Agriculture were as to the bill without bulbs, being unknown to the Secretary.

S. 338 contains no provision for hearings; and in the Secretary of Agriculture's comment to the Senate committee, he suggested an

amendment for hearings. I have heard it stated that the present bill has provided for hearings, and therefore it possibly was not necessary to repeat that provision. However, the Secretary of Agriculture well knew that the present bill had provisions for hearings; and in the face of that knowledge, he recommended the amendment, as he seemed to be in doubt that under this bill any hearings must be held before you could exclude or put a limitation on it.

There is a general observation that there seems to be no need for the bill, as the Secretary of Agriculture already has full powers to exclude these materials, including bulbs, as under section 1 of the 1912 act you cannot import anything without getting a permit, and you get a permit under such conditions as the Secretary of Agriculture prescribes, and that is what he is operating under now and has been ever since the act was passed.

Then, under section 8 of the same law he has all the powers in the world to acquire disinfection and everything else from the moving of the articles to where they are brought into the United States. It is difficult to see what the present bill lacks, if you are talking about controlling disease.

From that standpoint, the next observation is the propagation post-entry provision, which seems to have the effect of limiting the future business to nurserymen. In other words, they are the only ones that could comply with a postentry growing provision. No one else could do it. So it would just cut out the seedmen and cut out the individuals buying anything and simply channel all of the business in to nurserymen, and no one else.

It makes the observation that instead of this bill helping American agriculture, that it would probably have the opposite effect, because we have sold, and expect to sell a good many fruits and other things, flour, and so forth, to a country like Holland, and if we destroy their shares of exchange, we cut out our own agriculture.

The last observation is that this act was passed in 1912, 35 years ago, and in that 35 years I am informed that the Secretary of Agriculture has never found anything the matter with Holland tulips that even required him to hold an investigation on the subject, to see whether he should do anything about it or not, by way of excluding them.

I thank you, Mr. Chairman. That covers my points, briefly.

The CHAIRMAN. Thank you, sir.

Mr. ANDRESEN. Your arguments have been directed principally to bulbs.

Mr. BEALL. Principally to bulbs. However, some of these people do not think there should be any need for the bill at all.

Mr. ANDRESEN. I think one point you made, which is in mind of most of the members of the committee, is the need for food, or agricultural products by Holland and these other countries, shipped from the United States, and that they need dollar exchange. We assume that they need our food, and particularly they have been buying flour and wheat in this country.

Would you have any objection to an amendment to this bill that we would not impose any limitations on the import of bulbs from Holland, provided they were to remove the 3 percent excise tax that they are now placing on flour?

Mr. BEALL. I don't want to be evasive, but I do not want to be misunderstood. I want to be frank and not overstep the bounds of my authority, and I am sure, sir, you will deeply appreciate the proposition that as I am speaking for these people on a delegated authority, I don't have unlimited authority to commit them to anything.

I am pretty nearly tied down to what they had in their written statements, which I only offered to summarize. I think I would be going beyond my authority to commit them.

Mr. ANDRESEN. As an individual, would you not feel that there should be reciprocity both ways?

Mr. BEALL. Yes, I do. I am reminded of the proposition, as one of the witnesses pointed out, that we now impose a duty on Dutch bulbs of from 7 to 15 percent, so I don't know what they are imposing on our flour, but we have for many years imposed a duty on their bulbs.

Mr. ANDRESEN. That may be. I do not question that. But they are now putting on an additional 3 percent import duty on flour, which is being shipped from the United States to Holland and Belgium and Luxembourg.

Mr. BEALL. I am not informed on it. I wouldn't be able to give you anything real constructive.

It seems to me that that is further an economic or a tariff question rather than a quarantine question. I assume that this bill really was, or should be, a quarantine bill.

Mr. ANDRESEN. Of course, from the discussion and arguments presented by yourself and others, engaged either in producing nursery stock and bulbs in this country or from those importing it, it seems to me it is pretty much of a business proposition.

Mr. BEALL. I would like to make one suggestion that I didn't make. I was told that we sell bulbs and things to Holland, and this trade between the United States and Holland seems to be somewhat on the basis of who has the best.

For example, dahlias, I am told, we raise them in this country far superior to anything that they have in Holland, and they buy dahlias from us. They also buy gladioli from us, and we buy tulips, because they raise them better. We are in a position from buying from the respective country that is superior.

Mr. ANDRESEN. I am very glad to hear that you claim we do produce some superior things in this country, because we have had witnesses who claim that everything produced in the foreign country is superior to what we produce here.

Mr. BEALL. No; I qualify that with my statement about dahlias.

The CHAIRMAN. Are there any further questions?

(No response.)

The CHAIRMAN. Thank you very much. The Chair desires to thank you also for your cooperation in arranging the procedure under which we have operated, so we have been able, I think, to accommodate these many witnesses, much better than would have been the case otherwise.

Mr. BEALL. I hope I have been some help, and it has been a pleasure, sir.

(Whereupon, the witness was excused.)

The CHAIRMAN. We would like to hear from Mr. Dekens.

STATEMENT OF H. G. DEKENS, PRESIDENT, HOLLAND PLANT
EXPORTERS ASSOCIATION, BOSKOOP, HOLLAND

Mr. DEKENS. Mr. Chairman, Honorable Committee, in the first place, I wish to thank you for giving me an opportunity to appear before you as a witness. I am president of the Holland Plant Exporters Association. I should also like to express my appreciation to you, Mr. Chairman, and the other members of the committee, for the very fair way in which the hearing is conducted, and for the courtesy shown to me and my colleagues, and if you will allow me, I will read my statement.

The CHAIRMAN. We will be glad to hear from you.

Mr. DEKENS. My name is H. G. Dekens, and with your gracious consent, I am appearing before your honorable committee as president of the Holland Plant Exporters Association.

The Holland plant flower growers export to the United States nursery stock like rhododendrons, hardy azaleas, and other kinds of ornamental plants. These stocks are of small sizes intended for growing on into saleable size plants, as under the Plant Quarantine Act of 1912 the Secretary of Agriculture prescribes the size and age limits of the stocks that may be imported.

For certain items such as fruit trees, fruit tree understocks, blue spruces, and some other plants, the importation into this country is presently not permitted.

The stocks that can be imported here at present are required by American nurserymen all over the country. The reason for this widespread demand is that during the last 20 years, American nurserymen have not been able to produce this kind of nursery stock in quantities sufficient to meet the growing market.

A little of this stock is produced by growers here, but the cost of production due to differences in climate and due to labor shortage is so high that only the very rich home owner can afford to buy same.

Under the present law, the importer here has to obtain a permit before we can ship from Holland. All our nursery stock is regularly inspected in the fields, and it is inspected once more before it can be certified for shipment by the Netherlands Phytopathological Service as being clean and healthy. In the case of plants, all the soil has to be washed out, and the stock is then repacked in sterilized peat.

Upon arrival in this country, the shipments pass through the inspection house at the port of New York, and if by any remote chance any trouble is found, the plants are fumigated or given other approved treatment. Whatever may be the situation in other countries, there is practically no chance of importing new plant pests or diseases from Holland.

At yesterday's session of this hearing, the statement was made that the port of entry examination is totally inadequate to detect all the foreign plant pests that may be hitchhiking was not considered inadequate before the war, when millions of Rosa Manetti and rose multi-flora understocks arrived here for propagating purposes.

After all, the only difference now, is that the same understocks have an eye grafted on them, which produces two or three small branches a year later.

May I be permitted to observe that modern means of transport by planes, and fast steamers, contribute to an accelerated distribution of pests and diseases in far greater degree than is possible by the importation of certified nursery stock from a country like Holland.

Unfortunately, one of your most serious prevalent diseases is named the "Dutch elm disease." This disease got its name to honor Dr. Schwarz and Professor Westerdijk, both of Holland, who jointly first identified the disease on their travels through other countries.

It is a matter of record that the disease arrived on these shores on logs imported from another European country. We sincerely hope that the United States Department of Agriculture at some future time can see its way clear to rename the disease the European elm disease.

Of course, we also have to contend with certain imported diseases. There is the Grape Phylloxera, the San Jose Coccid, and the Colorado beetle, but we try our best to live with these pests, and I may say that they can be kept within bounds with present methods of control.

Before the war, when we exported new varieties of plants to this country, limited quantities were admitted for propagation purposes, and generally these new varieties were sold on a royalty basis under the patent laws.

In the belief that quantity limits were still in force, we sold these small quantities, but certainly would have preferred to propagate our own creations and then distribute them in this country amongst the nurserymen. As pioneers in horticulture, we have tried to improve on our nursery products for centuries, and we have had no scarcity of skilled labor to propagate all this stuff.

Of late, some of our good men have left us to serve as propagators in this country, but we naturally would much prefer to do the propagating at home.

We admit that we have not tried as yet to propagate mulberry bushes, but now that we know that the Honorable Congressman of the great State of Texas should like to import them in quantities, we will certainly look into the possibilities of supplying him with some fine specimens, at least, if we can be assured that the quantity limits that may be imposed will not be too small to make the effort worthwhile.

It is not for us to question the methods of administering the Plant Quarantine Act, but it remains the difficult task to understand why it may be found necessary to enlarge the authority of the Secretary to such extent that nursery stock which passed the Dutch as well as the American Plant Inspection Service, should hereafter only be admitted under post entry quarantine.

The use of such authority could reduce the importation of healthy nursery stock to an insignificant fraction of the present moderate volume, merely because it would eliminate imports intended for direct sales.

We therefore sincerely hope that after weighing all the facts, your honorable committee may reach the conclusion that the provisions of the Plant Quarantine Act of 1912 already are adequate to protect American agriculture, and horticulture, and that they may find no need for new regulations.

If you will allow me, I would like to add a few things, Mr. Chairman. Through our Netherlands Embassy, we have invited a few officials again to come to Holland and to see our clean stock, and what we do

there to protect all the plant pests and diseases which might arise, and to protect the American interests that do not come over here in this country.

At the same time; this spring we had two officials, the chief inspector of the Netherlands and Dr. Leveman, to come to this country at the time of importation to be at the inspection house at Hoboken to see whether there were any difficulties when the stock arrived from the Netherlands, and we have had nothing but praise about the method of packing and the cleanliness of the stock when it arrived here.

Further, I would like to add that as an appreciation of the Dutch people to the American people, that we have sent over azalias, hardly known here in this country, and they are going to be planted in the national place, and this offer has been accepted by the Department of Agriculture.

I thank you. If there are any questions, which you would like to ask, I would be only too glad to answer them if I am able.

The CHAIRMAN. We thank you very much, Mr. Dekens.

Are there any questions?

(No response.)

The CHAIRMAN. We thank you very much for your helpful statement.

Mr. DEKENS. Thank you.

(Whereupon, the witness was excused.)

The CHAIRMAN. This seems to exhaust the names in the list that the Chair has before him; are there any others present who desire to be heard?

(No response.)

Before the hearing is concluded, the Chair has a number of letters and telegrams which have been sent in with the request that they be incorporated in the record. At this time, the Chair will submit for the record a telegram from Harold S. Ross, vice president of the Joseph Breck & Sons, of Boston; a statement from the Commerce and Industry Association of New York; a letter from Mr. Lloyd E. Adams, State Entomologist of the State of Missouri; a letter from the Vuyk Van Nes Nurseries of New York; a statement by Mr. H. Langelier of Pelham, which is submitted by Representative Ralph F. Gamble of New York; and a resolution adopted by the Takoma Park Horticultural Club of Takoma Park, Md. Also a letter by the director of research and legislation for the Americans for Democratic Action.

In addition, the Chair is advised that the American Forestry Association desires to submit a statement on behalf of the legislature, and while that statement has not yet been submitted, I assume it will be, within the next day or so, and at that time, it will be included in the record.

The letters from the State Department, Commerce Department and the Department of Agriculture will also be inserted at this point.

(The documents are as follows:)

DEPARTMENT OF STATE,
Washington, May 16, 1947.

The Honorable CLIFFORD R. HOPE,
*Chairman, Committee on Agriculture,
House of Representatives.*

My DEAR MR. HOPE: Reference is made to the letter addressed to you on April 14, 1947, by Mr. N. E. Dodd, Under Secretary of Agriculture, regarding H. R. 2950, a bill "to amend the Plant Quarantine Act approved August 20, 1912, as

amended, by adding thereto a new section. Reference is also made to H. R. 2773 which is identical with H. R. 2950, with the exception that bulbs have been included within the provisions of the proposed legislation. H. R. 2773 is, in turn, identical with S. 338 which, as amended to include bulbs, was approved by the Senate on April 21, 1947. The Department notes that S. 338 as approved by the Senate on April 21, did not incorporate the suggestions made by the Department of Agriculture as set forth in Senate Report No. 102 on S. 338 from the Senate Committee on Agriculture and Forestry.

H. R. 2950 would authorize the Secretary of Agriculture to limit the entry of nursery stock, from foreign countries, while H. R. 2773 carries the same provisions with the addition of bulbs. The purpose of the two measures is "to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States." In order to carry out this purpose, the bills authorize the Secretary of Agriculture to institute such rules and regulations as he may believe to be required including the regulation, if necessary, that such nursery stock, including bulbs, be grown under post-entry quarantine by or under the supervision of the Department of Agriculture, in order to determine whether such imported nursery stock and bulbs be, in fact, infected with plant pests not discernible by port of entry inspection. The bills further provide that the Secretary of Agriculture be authorized to prescribe such remedial measures as may be considered necessary to prevent the spread of such injurious plant pests.

With the general purpose of these bills the Department cannot but be in sympathy, since their intent is to protect American plant life from injurious insect pests. On the other hand the Department, in agreement with the views of the Department of Agriculture as set forth in Under Secretary Dodd's letter to you of April 14, believes it to be highly inadvisable to include in the bills the phrase "to that needed for propagation purposes." Since the bills themselves incorporate measures providing for postentry quarantine under the supervision of the Department of Agriculture, the Department fails to see why the entry of nursery stock and bulbs should be limited to that required for purposes of propagation. The stated purpose of the bills is to exclude injurious insect pests and plant diseases from abroad and the provisions for post-entry quarantine, and such other regulations as may be deemed necessary, would appear to be quite as applicable to imports of nursery stock and bulbs for other than propagation purposes, as they are to imports of nursery stock and bulbs for that purpose alone.

The Department is also concerned over the effect which the inclusion in H. R. 2950 and H. R. 2773 of the phrase "to that needed for propagation purposes" may have upon our relations with friendly foreign powers. The Department has already received more than one communication from the Netherlands Embassy in Washington expressing grave concern over the consequences to the importation of Netherlands nursery stock and bulbs into the United States, in the event the proposed legislation is enacted in its present form. The Netherlands Embassy, while realizing that the proposed legislation does not directly prohibit or restrict the importation of nursery stock and bulbs, feels that the inclusion in the bills of the phrase "to that needed for propagation purposes" constitutes a restriction which can hardly be justified on phytosanitary and biological grounds.

In the event that proposed legislation is enacted in its present form the Department believes that such action may be considered not only by the Netherlands Government but by the Governments of such other countries, as might be adversely affected, as a violation of the spirit, if not the letter, of our reciprocal trade agreements with them. Virtually all of our trade agreements, including the one with the Netherlands, contain a provision whereby either party to the agreement may terminate it, in the event that any measure enacted by the other party has the effect, while not directly conflicting with the specific terms of the agreement, of nullifying or materially impairing any of the objects of the agreement. In the event of the final passage of the proposed legislation in its present form, it is feared that the Government of the Netherlands, or that of some other country with whom we have concluded a trade agreement might, in case of an adverse effect of the law upon its exports of nursery stock and bulbs to the United States, invoke this provision with the possible result of the termination of the agreement.

On the other hand the United States-Netherlands trade agreement contains, as do most of the trade agreements, a provision permitting the enactment of domestic legislation for the protection of plant health or life. With the phrase "to that needed for propagation purposes" deleted, H. R. 2950 or H. R. 2773 would probably be considered as falling within this provision, and it is not believed that the Government of the Netherlands, or that of another country adversely affected, would then be in a position to object.

Our agreement with the Netherlands which became effective on February 1, 1936, has been of great benefit to the United States. The average annual total dollar value of United States exports to the Netherlands of commodities for which the United States obtained concessions in the Netherlands agreement, increased 107 percent from the 2-year period 1934 and 1935 to the 2-year period 1936 and 1937. The average annual total dollar value of our exports to the Netherlands of commodities for which no concessions were made by the Netherlands in the agreement, increased only 25.8 percent from the earlier to the later of these two periods. From 1935 to 1937 our exports to the Netherlands of agricultural commodities for which concessions were obtained by the United States in the agreement, increased more than 133 percent. It is manifestly inadvisable to jeopardize this agreement, and possibly others which have been equally beneficial, by the inclusion in either of the two bills of the phrase, "to that needed for propagation purposes," which the experts in the Department of Agriculture declare to be unnecessary for the accomplishment of the stated purpose of the bills.

The Department also wishes to point out that the inclusion in H. R. 2950 or H. R. 2773 of the phrase "to that needed for propagation purposes," is in direct contravention of the principles of the foreign trade policy which the United States has been following for many years—a policy which a substantial majority of the Congress has repeatedly upheld. The phrase in question, moreover, would be distinctly contrary to the spirit and intent of the charter of the proposed International Trade Organization, and adoption of either bill in its present form would seriously weaken the position of the United States representatives taking part in the current discussions at Geneva relating to the proposed ITO.

The Department, moreover, in view of the stated purpose of the bills, cannot help but question the necessity of including bulbs within the provisions of the proposed legislation. From the information available to it the Department is led to believe that present inspection and quarantine measures with respect to bulbs are adequate, and that no danger exists from this source of the nature of "injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States." If this is the case, and the Department realizes of course that this is a matter for final decision on the part of scientific experts, then H. R. 2950, if amended in accordance with the suggestions contained in this letter, would be greatly preferable to 2773. In view of the outstanding importance of bulbs in our trade with the Netherlands, it becomes imperative that no restrictions beyond these already existing, be placed in effect unless scientific evidence is overwhelmingly in favor of such biological measures of control.

Finally the Department wishes to concur in the suggestion of the Department of Agriculture that an amendment be added to the bills providing that before the Secretary of Agriculture takes action to limit the importation of nursery stock or bulbs, or to subject imported nursery stock or bulbs to quarantine, he shall hold public hearings on the matter.

Because of the urgency of the matter this letter has not been cleared with the Bureau of the Budget, to which a copy is being sent.

Sincerely yours,

DEAN ACHESON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 10, 1947.

HON. CLIFFORD R. HOPE,

*Chairman, Committee on Agriculture,
House of Representatives, Washington, D. C.*

DEAR CLIFF: Am enclosing a letter from Dr. Lloyd A. Adams, our State entomologist, relative to the bill S. 338, and shall appreciate it if you can take his recommendation into consideration when this bill comes before you.

With kindest regards and best wishes.

Your friend,

CLARENCE CANNON.

STATE OF MISSOURI,
DEPARTMENT OF AGRICULTURE,
Jefferson City, May 7, 1947.

HON. CLARENCE CANNON,
Washington, D. C.

DEAR MR. CANNON: Bill S. 338 has been amended to include bulbs along with nursery stock and so passed by the Senate. Giving the Secretary of Agriculture authority to limit any specific commodity which presents a pest risk if introduced, in my opinion, is sound, but I do not believe that bulbs should be included in bill S. 338. All States have a compulsory nursery inspection law but very few define bulbs as a part of nursery stock. Some States, such as Oregon, can enforce a law requiring the inspection of bulbs to their advantage but such an enforcement in several of our States would involve considerable expense and it is doubtful if the inspection of all bulbs is economically sound.

I believe that bill S. 338 would be less objectionable to all concerned if bulbs were omitted from that bill.

Very truly yours,

LLOYD E. ADAMS, *State Entomologist.*

AMERICANS FOR DEMOCRATIC ACTION,
Washington 6, D. C., June 6, 1947.

HON. CLIFFORD R. HOPE,
*Chairman, Agriculture Committee,
House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN HOPE: Americans for Democratic Action strongly urges that your committee recommend unfavorably with regard to the provisions in S. 338, restricting the importation of bulbs to those required for propagation purposes. Export of bulbs to this country constitutes an important factor in the reconstruction of Holland's economy.

Holland, one of the western countries most severely injured by the war, is a commercial trading nation, trying to preserve its democratic and capitalist institutions against mounting pressure from without and within. Its adherence to our system of international trade is of primary economic and political importance. We should not take steps to cut off one of its substantial export markets, so weakening its reconstruction efforts, and driving it to rely economically on countries hostile to our ideals.

Sincerely yours,

DAVID D. LLOYD, *Director,
Research and Legislation.*

The Takoma Park Horticultural Club at its regular meeting on May 26, 1947, passed the following resolution: "We earnestly petition the House of Representatives to exclude from the pending bills S. 338 and H. R. 2773 any provisions prohibiting the importation of bulbs."

F. L. LEWTON,
Vice President.

Attached is a petition asking for the exclusion of the bulb provision in the bills, which was signed by members of the Takoma Park Horticultural Club at the meeting held May 26, 1947:

The undersigned members of the Takoma Horticultural Club earnestly petition the House of Representatives to reject the bulb provision in the pending H. R. 2773 bill for the reasons static in the appended resolution adopted at the regular meeting of the club on May 26, 1947.

D. E. Scull; Frederick L. Lewton; Maude C. Gunther; Mrs. J. N. Quinn; Mrs. Kenneth C. Katz; Mrs. B. M. Bolinger; Michael M. Cirillo; Charles W. Davidson; Ruth B. Pratt; Miss Mae E. Simpson; David G. Duey; Frederick Jeb Mull; Mary H. Scull; Mae N. Cermak; Jesse C. Suter; Marion H. Chandler; Ruth P. Hurst; E. E. Merriman; Ruth S. Buckner; R. S. Washburn; L. G. Washburn; Mrs. A. P. Harrison; Mrs. J. Robertson; E. E. Stark; Everett E. Wehr; Malcolm W. Chandler; Simon B. Bin; Leland W. Cole; Margaret Doeherty; H. E. Converse; C. W. Moore; Irene Haggerty; Roy Magruder; Guy H. Goodman; Joseph E. Dentz; Joseph J. Sagama; W. T. Simmons; J. Preston Smacher; Goldie L. Thomsen; Charles N. Thomsen; Mrs. Joseph Sagama; Eva H. Fraser; A. C. Barrett; J. Wallace Talley.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington 25, D. C., May 28, 1947.

The Honorable CLIFFORD R. HOPE,
Chairman, Committee on Agriculture,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In your letter of May 15 to Mr. H. Langeler, Post Office Box 46, Pelham, N. Y., concerning his desire to present his views in connection with the plant-quarantine bills, you suggested that he could file with the committee a written statement setting forth his position.

Mr. Langeler has sent me the attached which I am sure he will appreciate having made a part of the record in connection with these bills.

Very sincerely yours,

RALPH A. GAMBLE.

Reference: H. R. 2773, H. R. 2950, S. 338.

I am opposed to two words in these almost identical bills, namely the words "and bulbs." As a qualified citizen, oldest of a tribe of seven more who are all opposed to the same two words, I feel that no reasons need to be advanced by me to justify our stand, but being asked to do so by my Congressman I add the following brief statement in explanation.

I am convinced, and my family with me, that the relatively free importation of bulbs as now supervised and watched over by the Federal Government shows a heavy balance to the good of our people as a whole. That favorable balance I see expressed in greater beauty made readily available to rich and poor alike; in the gainful employment of vastly more of our people than could possibly be busy in domestic production of a similar article; in much greater protection from bugs and blights at ports of entry under the Federal eye than is possible with domestically produced bulbs under variable State controls; in the world exchange of our typically American products for typical products from other lands; in the advancement of world faith and peace among brother nations. I have observed that well-intentioned plant-quarantine laws, sanitary import measures, branding imports requirements, pure-foods import regulations are all corruptly used from time to time to stifle world commerce, to create scarcities, monopolies, price rises, and consequent national and international unrest. We cannot do without these laws for the good they accomplish when fairly administered, but there has not come to my notice any reasonable evidence that these laws need to be intensified or sharpened for our Nation's greater happiness.

Careful consideration of the above impels me to look askance at all trade-restrictive legislation, and to oppose in particular the insertion of "and bulbs" in any basic plant-quarantine law as unnecessary and possibly vicious.
Pelham 65, N. Y. 5/22/47.

H. LAGELER.

VUYK VAN NES NURSERIES.
New York 6, N. Y., June 2, 1947.

Honorable CLIFFORD R. HOPE,
Chairman, House Committee, Washington, D. C.

DEAR SIR: We understand hearings are being held on June 5-6 on a bill that would authorize the Secretary of Agriculture to cut down the importation of plants and bulbs to a few of these in new varieties for propagating only. (H. R. 2773) We ask to be permitted to give our objections to this bill in writing as follows:

We are importers of plants and bulbs (proprietors are United States citizens) and we protest against this bill as it discriminates against a small part of the total imports of agricultural products. A few thousand packages of plants and bulbs are imported yearly, mostly from Holland, while millions of packages of other agricultural products are imported from all over the world.

The danger from imported plants and bulbs is far smaller than the danger from other products, because plants and bulbs receive so much care before exportation and upon entry, and the total amounts to so little.

The eastern district of the Federal Food and Drug Administration reports for 4 weeks in May (see bulletins No. 74, 75, 76, 77) the interception of 5,026 packages of agricultural products that were insect-infested. For the entire country this

probably amounts to four times that many packages, some 20,000 for May only. And the insect-infested part, of course, is only a small part of the total importations of agricultural products, which must total many millions of packages yearly.

What is done with packages that are found insect-infested? The material is fumigated, inspected again, and released.

Importations of plants and bulbs are handled in the same way, fumigated, inspected again, and released. Then why discriminate and exclude these few thousand packages?

The millions of packages of agricultural products shipped from all over the world over are often crudely prepared, unclean, and bagged in the field. These goods are distributed with other goods in freight cars and trucks. Shells and waste materials are disposed of without particular attention.

The few thousand packages of plants and bulbs shipped from Holland are examined, washed, and cleaned all by hand, and packed in sterile packing material. At final destination in the United States of America plants and bulbs are carefully tended, inspected, and watched over. They why discriminate and exclude these plants and bulbs?

The backers of this bill keep on saying that plants and bulbs are a grave risk. Haven't they heard of the careful inspection at Hoboken, through which every package must pass. Not a 5- or 10-percent inspection, as is usual with other agricultural products. No; a 100-percent inspection. They why discriminate against plants and bulbs?

To exclude a few thousand packages out of several million would be most unfair. No authority should be given to the Secretary of Agriculture to cut down the importation of plants and bulbs to a few plants of the new varieties for propagating only. The importation of plants and bulbs, while comparatively small, is a business of great importance to those engaged in it, who feel, as we do, that it should be permitted to continue.

Respectfully,

VUYK VAN NES NURSERIES.
ADRIAN VUYK.

COMMERCE AND INDUSTRY ASSOCIATION OF NEW YORK, INC.,

New York 7, N. Y., June 5, 1947.

Subject: S. 338, to amend the Plant Quarantine Act.

HON. CLIFFORD R. HOPE,

Chairman, Committee on Agriculture,

House of Representatives, Washington, D. C.

DEAR SIR: In connection with the hearings now being held by the Committee on Agriculture in connection with S. 338, to amend the Plant Quarantine Act, we are enclosing a statement which we ask be incorporated in the record.

We are sending copies of this statement to each member of your committee.

Yours sincerely,

THOMAS JEFFERSON MILEY, *Secretary.*

STATEMENT FILED BY COMMERCE AND INDUSTRY ASSOCIATION OF NEW YORK, INC.,
WITH HON. CLIFFORD R. HOPE, CHAIRMAN, COMMITTEE ON AGRICULTURE, HOUSE
OF REPRESENTATIVES, WASHINGTON, D. C., REGARDING S. 338, (TO AMEND THE
PLANT QUARANTINE ACT, JUNE 5, 1947)

The Commerce and Industry Association of New York, Inc., is the chamber of commerce for the New York metropolitan area. It has a membership of approximately 4,000 business firms of all kinds representing a cross section of the commerce and industry of New York. The association has for many years maintained an interest in the question of plant quarantines and has gone on record on numerous occasions for a general revision of the Plant Quarantine Act of 1912 on the ground that the present law is unsatisfactory, because it does not define with sufficient clarity the policy of our Government as to the functions of such quarantines.

In our opinion S. 338 does not provide any clarification of the law. On the contrary it would permit the establishment of import embargoes of nursery stock and bulbs on the individual judgment of administrative officials, without

advance notice and without recourse by the businessmen affected—in other words, complete bureaucracy.

Plant-quarantine legislation should have as its sole objective the prevention of the introduction of plant pests into the United States. Legislation for such quarantines should specifically preclude the possibility that they could be used as economic or tariff-protective measures.

Any amendment, therefore, of the present Plant Quarantine Act should state and define the general basic purposes, principles, and functions of such quarantines, leaving to the Department of Agriculture the issuance and enforcement of regulations necessary to carry out the policy prescribed. This basic statement of policy should be in clear, unequivocal terms in order to prevent misunderstanding, misinterpretation, or the exercise of variable individual judgments as to the purposes and functions of the quarantine law.

If revision of the Plant Quarantine Act is considered necessary to protect American agriculture, horticulture, and forestry, this association believes that a special nonpartisan commission should be appointed to study the entire problem of plant quarantines. Such a commission should be composed of individuals of national prominence capable of studying the problem from the viewpoint of the public interest as well as its scientific, economic, and legal aspects. As the entire country is affected by the operation of plant quarantines, the membership of the proposed commission should include representatives from all sections of the country.

This association strongly urges, therefore, that S. 338 be amended by striking out the present wording after line 5 and substituting a provision for the appointment of a nonpartisan commission to study plant quarantines and report to Congress within a reasonable time its recommendations for revision of the present Plant Quarantine Act.

It would be particularly unwise at this time, in our judgment, to enact legislation which, under the guise of a health protective measure, might possibly result in the application of unwarranted tariff protection which might not prove in the best interests of the country as a whole. Moreover, such indirect tariff protection is contrary to the spirit and intent of the present efforts of our Government to promote international trade and world peace by eliminating unnecessary international trade barriers.

NEW HAVEN, CONN., June 4, 1947.

HON. CLIFFORD R. HOPE,

Chairman, House Committee on Agriculture:

Change of plans makes it impossible for me to personally represent my firm, Joseph Breck & Sons, of Boston, at bulb quarantine hearings Thursday and Friday in protest against bills H. R. 2773 and H. R. 2950 which give uncalled for powers to the Secretary and which therefore endanger an established bulb merchandising industry as well as being a great threat to friendly relations with Holland. Nearly 250,000,000 Holland-grown bulbs were permitted entry this past year. Existing bulb inspection controls are now fully adequate to protect American agricultural interests insofar as bulbs are concerned. The proposed legislation is a tariff issue cloaked in the guise of a quarantine control for which there is no known need or sound reason. The passing of any such misguided legislation can only benefit a small minority while imposing an unbearable and unfair restraint on bulb merchandising interests that represent an overwhelming majority. I earnestly protest the passing of the legislation as it applies in any way to bulbs.

HAROLD S. ROSS, *Vice President.*

WASHINGTON, D. C., June 9, 1947.

HON. CLIFFORD R. HOPE,

*Chairman, House Agriculture Committee,
House Office Building, Washington, D. C.:*

United States section of the Women's International League for Peace and Freedom urges your committee remove from S. 338, H. R. 2773, or H. R. 2950 any provision authorizing limitation of importation of nursery stock including bulbs to that needed for propagation purposes, and any mention of bulbs specifi-

cally. These provisions would be extremely harmful to the Netherlands, two-thirds of whose exports to the United States were bulbs and nursery stock in 1946. They would, therefore, intensify problem of world shortage of dollars now critically needing relief. Such measure repudiate principles of reciprocal trade and ITO charter in effect as well as by use of quota instrument. We urge your committee to defeat all such sabotaging of vital economic underpinning of international cooperation and therefore of peace.

ANNALEE STEWART,
National President.

LEAGUE OF WOMEN VOTERS,
Washington 6, D. C., June 9, 1947.

HON. CLIFFORD R. HOPE,
*Chairman, Committee on Agriculture,
House of Representatives, Washington 25, D. C.*

DEAR MR. HOPE: I am writing to express the position of the League of Women Voters with respect to S. 338, a bill to amend the Plant Quarantine Act, which is now before your committee. We are opposed to this legislation because of the injurious effect it would have on the trade relations between this country and Holland.

The league did not ask to be heard at last week's hearings on this subject because it seemed to us that the opposition to the bill was fully and forcefully presented by other witnesses. However, we wish to record our position.

No one could object to legitimate steps designed to protect our agriculture and horticulture from disease and pests. As passed by the Senate, S. 338 authorizes action far beyond this justifiable objective.

In limiting imports "to that needed for propagation purposes," the bill takes on the character of legislation designed to eliminate foreign competition with United States bulb growers. As you know, in 1946 bulb exports from Holland to the United States represented 30 percent of the entire export trade from Holland to this country. In turn Holland purchased from the United States approximately \$220,000,000 worth of goods, more than 10 times as much as she sold to us.

It is clear that to withhold the American bulb market, which our own bulb growers are unable to supply, will not only deprive our citizens of a commodity they desire to purchase but will strike a heavy blow at the Netherlands' efforts toward economic recovery. It is to our own business interest to make it possible for Holland to earn the dollars with which to buy goods which we can furnish. We, therefore, respectfully request that the words "and bulbs" be stricken from the bill, as well as the words "to that needed for propagation purposes." In fact, we are inclined to question whether there is need for a bill of this type, since it is our understanding that adequate authorization for protective action against infected plants is contained in the Plant Quarantine Act of 1912.

I shall appreciate your making this letter a part of the record of the proceedings before your committee.

Sincerely yours,

ANNA LORD STRAUSS,
President.

ENTREPRISES AGRICOLES PANAMERICAINES, S. A.,
Port au Prince, Haiti, May 27, 1947.

The honorable CHAIRMAN, COMMITTEE ON AGRICULTURE,
House of Representatives, Washington, D. C.

RESPECTED SIR: This company operating in Haiti has considered undertaking the production of bulbs for consumption in the United States. Income to Haiti from such exports would aid in the purchases here of cotton goods, lard, and various manufactures from the United States.

It is noted that H. R. 2950, to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section provides for limitation of the entry of nursery stock into the United States, as recommended by the United States Department of Agriculture. To us, having read the recommendations of the Department of Agriculture, the bill appears logical.

It is reported to us, however, that limitation of importation of bulbs has also been suggested for inclusion in H. R. 2950. Apparently the Department of Agriculture in making its original recommendation did not consider importation of bulbs dangerous as regards introducing diseases and insects new to the United States.

In such information as has reached us, we see no recommendation from the Department of Agriculture to limit such entry of bulbs.

In the absence of recommendation from the Department of Agriculture regarding such bulb-entry limitation, ourselves as well as others in Latin America and other foreign countries will feel that the amendment as regards bulbs is an effort by commercial interests to use the plant quarantine service as a means to eliminate competition; this will be unjust to foreign countries with trade treaties with the United States.

In short, in the absence of a recommendation from the United States Department of Agriculture as regards limitation of bulb entries, such action will be considered unfair in foreign countries, and will hurt United States exports.

Respectfully,

ATHERTON LEE, *Managing Director.*

THE FREMONT NURSERY,
Fremont, Ohio, June 2, 1947.

HON. CLIFFORD R. HOPE,
*Chairman of Committee on Agriculture,
House of Representatives, Washington, D. C.*

MY DEAR SIR: I understand that Senate bill 338 has passed the Senate and is up for hearing before your committee in the near future.

I wish to take this opportunity to protest against the passage of this bill. The alleged purpose of the bill is to give the Secretary of Agriculture the power to keep any or all horticultural products out of this country for fear of importing injurious insects and diseases into this country.

That is, in my opinion, all camouflage and the real purpose is to eliminate competition from foreign countries, mostly the Netherlands, from the larger concerns in this country who are the producers of a great deal of stock which could be obtained in Holland in far better quality and for much less money.

I am aware that the American Association of Nurserymen has endorsed this bill, but it is entirely from a selfish standpoint of the larger interests who dominate this and other trade associations.

I am a member of the above association and also of our own State association. But there are many times as many smaller nurserymen in the country who have no organization to voice their sentiments, than belong to any national association.

I am one of the smaller firms of the country operating 75 or 80 acres of nursery, and a small orchard in connection.

I am heartily in favor of keeping injurious pests out of the country, if possible.

But to do so we would have to quarantine against most everything that is imported.

The San Jose scale, European corn borer, Japanese beetle, etc., did not come into this country originally on nursery stock but on other shipments of other material as broom corn, etc. And even the gypsy and brown-tail moth on slabs of granite, etc.

There are a number of things in the horticultural line that cannot be produced in this country at all. There are a great many more that can be produced in Holland in far better quality and much cheaper than in this country.

They have the soil and climate and the many years of experience in the production of this kind of stock and can produce a much better article than is produced here.

Then why not let them produce it? The general population of this country will get the benefit of it.

Up to the last 2 or 3 years, we have had a quarantine on practically everything except bulbs from Holland, and certain varieties that could be imported for propagation purposes only, under special permit.

This quarantine was promulgated by the then 1910 Secretary of Agriculture, under the assumption that he had the authority to so act. It was decided in the last few years that he did not have such authority and in the last 2 years some stock has been permitted entry.

And during the last 20 or more years since the quarantine has been on, a great many of the very finest things in the horticultural line have become very scarce and consequently high priced, and some of them are practically unobtainable at any price.

And the small, so-called lining-out stock which has been obtained in this country has been so poor and insignificant and has given such poor results that the supply of some of the finest varieties will always be scarce and high if they are quarantined in the future.

Among other things are the grafted varieties of blue spruce, Japanese maple, rhododendrons, azaleas, etc., etc.

In regard to blue spruce, which is practically off the market right now, that has been denied entry because someone felt that some virus disease might be imported on them. I am told that no one knows anything about any virus disease, and the claim is made in Holland that they never heard of it there and the same is true in the United States.

Large quantities of lining-out stock are produced in this country that is of good quality and although the price is higher than in Holland yet when we consider the cost of importing there is not much difference in the ultimate cost.

No wise nurseryman would consider importing stock that can be obtained at home in as good quality and at about the same or even a little more than the Holland price delivered here, because there is always a big risk to run on importing such stock.

No producer of this lining-out stock need fear any competition from Holland as long as he produces a good quality of any kind at a reasonable price.

But to quarantine practically everything as was done for about 20 years gives the producers of those varieties of stock that is hard to propagate the chance to hike the price of poor inferior stock without any competition.

My opinion is that those who are so desirous of having this bill passed are influenced much more by a desire to eliminate competition than from any desire to prevent the introduction of various insects and diseases.

I believe that it is generally conceded that Holland has, possibly, the best inspection service in the world and that they send out the cleanest stock of most any country.

The Department of Agriculture has a list of articles or varieties that are prohibited entry into this country for various reasons. That is entirely O. K.

Yet I believe they have some varieties on that list that should not be on. But the fear is that if the Secretary is given this authority, he will do as was done before, about 1910, and quarantine everything.

And, of course, he would be urged by some of the larger interests and through their Congressmen to do just that very thing.

I have referred to Holland most especially because by far most of the stock in this line comes from Holland, but the same should apply to any other country that has an efficient inspection service.

I remain

Very sincerely yours,

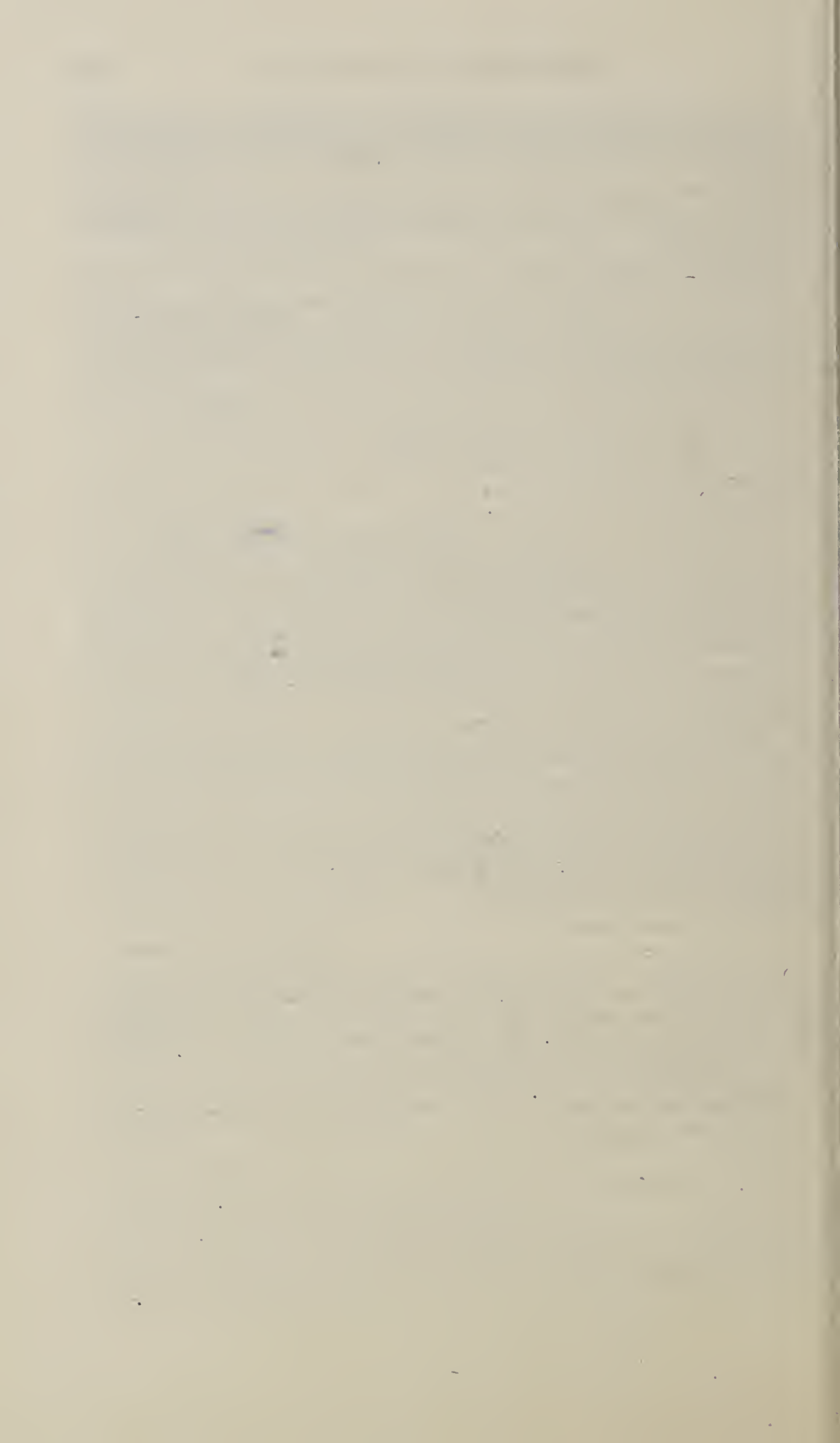
THE FREMONT NURSERY,
H. S. DAY, *Owner*

The CHAIRMAN. Unless there is something further, and the Chair knows of nothing, the hearing will be adjourned, and at some further date, as soon as possible, the committee will consider this bill in executive session.

The committee will adjourn until 10:30 a. m. tomorrow morning.

(Whereupon, at 3:45 p. m. the committee adjourned until 10:30 a. m. the following day.)

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OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports

(For administrative information only)

HEARINGS BEFORE THE HOUSE AGRICULTURE COMMITTEE ON BILLS TO AMEND THE PLANT
QUARANTINE ACT, JUNE 5 AND 6, 1947

At the request of Chairman Hope that the Department be represented at hearings on June 5 and 6 on the bills S. 338, H. R. 2773, and H. R. 2950 to amend the Plant Quarantine Act of August 20, 1912 as amended, I attended through parts of both days. Representatives were in attendance from the Department of State and of Commerce. We were not called on for testimony.

Chairman Hope presided and the attendance of other members of the Committee varied from 2 in addition to the Chairman, to 13.

At the outset Mr. Hope announced that the Committee would listen to proponents who desired to have the reference to bulbs deleted from the bills. Following their presentation the Committee would listen to proponents who wished to leave the bulb phrase in. After this group had been heard the Committee would listen to opponents with respect to the bulb amendment or with respect to the bills themselves. The speakers who appeared as proponents were representatives of the nurserymen, the Commissioners of Agriculture, the State plant quarantine officials, and representatives of the florists. Those appearing in favor of the bills but desiring that they be made applicable to bulbs were limited in number, the leaders being Congressman Ellsworth of Oregon and a representative of the bulb growers of that State, and a Mr. Talbert. Opposed to the bill or to the inclusion of bulbs in it were representatives of the Netherlands bulb growers and some of the garden club representatives. One or two commercial bulb growers also presented statements in opposition to the bill itself or to the inclusion of bulbs.

There was considerable discussion about the meaning of the phrase "for the purposes of propagation". In general the discussions hinged primarily on whether or not bulbs should be included and whether or not limits on imported nursery stock should be based on propagation needs in this country.

Following the end of the hearing Chairman Hope announced that the Committee would next consider these bills in executive session at the earliest possible moment.

Avery S. Hoyt, Assistant Chief*
Bureau of Entomology and Plant
Quarantine

*In cooperation with the Division of Legislative Reports.

13. FLOOD CONTROL; SURPLUS PROPERTY. The Expenditures in the Executive Departments Committee reported with amendment S. 1515, to make surplus property available for the alleviation of damage caused by flood or other catastrophe. (S.Rept. 435) (p. 8400).
14. FEDERAL AID TO EDUCATION. The Labor and Public Welfare Committee reported with amendment S. 472, to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools; and for the general welfare (S.Rept. 425) (p. 8400).
15. AUDITING. Received the GAO audit report of the Defense Homes Corporation for the fiscal year 1946. To Expenditures in the Executive Departments Committee. (p. 8398).
16. SUGAR. Received a Mich. Legislature resolution urging increased sugar allotments for home consumption and removal of all sugar controls (pp. 8398-9).
17. ST. LAWRENCE SEAWAY. Received a Wis. Legislature resolution favoring this project (p. 8399).
18. ADJOURNED until Mon., July 7 (p. 8491).

HOUSE

19. SUGAR. The Agriculture Committee reported without amendment H.R. 4075, the proposed Sugar Act of 1948 (H.Rept. 796) (p. 8372).
The Daily Digest states that this bill will be considered on the floor Thurs., July 10 (p. D486).
20. LANDS. The Merchant Marine and Fisheries Committee reported with amendments H.R. 3043, to transfer the Crab Orchard Creek Land Utilization project, Ill., to Interior Department for use as a wildlife management area (H.Rept. 790) (p. 8372).
21. STATE, JUSTICE, COMMERCE, AND JUDICIARY APPROPRIATION BILL, 1948. Both Houses agreed to the conference report on this bill, H.R. 3311, and to the amendments in disagreement (pp. 8349-53, 8405-6). The amount for cooperation with Latin America was set at \$3,900,000 by the conferees (House figure, \$3,000,000; Senate figure, \$4,300,000). This bill will now be sent to the President.
22. SOIL CONSERVATION; FARM LOANS. The Agriculture Committee ordered* reported S. 512, to extend the SCS, ACP, and FHA programs to the Virgin Islands (p. D484).
23. PLANT QUARANTINE. The Agriculture Committee ordered* reported S. 338, to authorize the Secretary of Agriculture to limit the entry of nursery stock from foreign countries to that needed for propagation purposes in order to protect American interests from insects and plant diseases, and authorize the Secretary to require such stock to be grown in post-entry quarantine (p. D484).
24. NATIONAL FORESTS. The Agriculture Committee ordered* reported H.R. 1809, to facilitate the use and occupancy of national-forest lands by authorizing the Secretary to grant long-term occupancy permits for summer homes, hotels, etc., for a wider variety of purposes, and by extending the acreage limitation from 5 to 80 acres (p. D484).

* Copies of these bills and reports will not be available until the bills are actually reported, when this Digest will include statements to that effect.

25. RUBBER; ALCOHOL; FARM PRODUCTS. Rep. Curtis, Nebr., spoke in favor of continuing our plants for the manufacture of "farm-produced synthetic rubber," expanding markets for alcohol produced from farm products, and discussed four proposals for overcoming the price-disadvantage problem (pp. 8355-60).
26. WAR POWERS. The Judiciary Committee ordered* reported with amendments S.J.Res. 123, to declare the termination of certain emergency and war powers (p. D435).
27. LANDS. The Public Lands subcommittee ordered* reported to the full committee H.R. 1330, to abolish the Jackson Hole National Monument (p. D435).
- * Copies of these bills and reports will not be available until the bills are actually reported, when this Digest will include statements to that effect.
28. GOVERNMENT PROPAGANDA. Rep. Miller, Conn., criticized propaganda in connection with three newspaper articles on public utilities, which he inserted and which he said made "plain implication...that ...the subcommittee had reached a conclusion even before hearing the testimony in opposition to the proposals" (pp. 8361-3).
29. TAXATION. The Ways and Means Committee reported without amendment H.R. 3950, the individual income tax-reduction bill which would become effective Jan. 1, 1943 (p. 8372).
30. RESEARCH; INFORMATION. Rep. Shafer, Mich., called attention to a Department press release on clothing stains that may come from scorched ironing-board covers, and stated "I would be very much interested to know how many people the United States Department of Agriculture has had to keep on its pay roll in order to discover this important fact and to convey it to the public" (p. 8370).
31. ADJOURNED until Mon., July 7 (p. 8372). The Daily Digest lists the following program for this week: Mon., consent calendar and consideration of bills under suspension of the rules; Tues., income-tax reduction bill; Wed., D.C. appropriation bill and Presidential succession bill; Thurs., H.R. 4075, proposed Sugar Act of 1948; and Fri. and Sat., employees' loyalty, National Science Foundation, repeal of emergency and war powers, and National Mineral Resources Division bill (p. D436)..

BILLS INTRODUCED

32. WATER UTILIZATION. H.J.Res. 225, by Rep. Sheppard (Calif.), H.J.Res. 226, by Rep. Phillips (Calif.), and S.J.Res. 145, by Sen. McCarran (Nev.), for himself and others, to authorize commencement of an action by the U.S. to determine interstate water rights in the Colorado River. To House Judiciary Committee. Senate measure not referred to committee. (pp. 8400, 8373). Remarks of Sen. McCarran (pp. 8400-1).

ITEMS IN APPENDIX

33. PRICES; MEAT SHORTAGE. Speech in the House by Rep. Murray, Wis., analyzing the meat situation, giving reasons for shortages and high prices, and pointing out USDA's part in the responsibility for the present meat situation (pp. A3534-4).
34. APPROPRIATIONS. Speech in the House by Rep. McCormack, Mass., criticizing appropriation reductions which would cause a loss in revenue and failure of service to farmers, particularly soil conservation (p. A3516).
- Rep. Price, Ill., inserted a St. Louis Post-Dispatch editorial criticizing appropriation reductions (pp. A3531).

Reports on Committee Meetings

(Committees not listed did not meet)

AGRICULTURE APPROPRIATIONS

Committee on Appropriations: Subcommittee on H. R. 3601, Agriculture Department appropriation bill, met to "mark up" the bill.

GOVERNMENT CORPORATIONS

Committee on Appropriations: Subcommittee on H. R. 3756, Government corporations appropriation, continued hearings with testimony from Agriculture Under Sec. N. E. Dodd, and Housing Expediter Frank Creedon.

WAR DEPARTMENT

Committee on Appropriations: Subcommittee on H. R. 3678, War Department appropriation bill, completed "marking up" the bill.

ARMY AND NAVY BILLS

Committee on Armed Services: In executive session, committee approved S. 1502, to authorize contribution of conscientious objectors' earnings to the International Children's Emergency Fund; the following bills were considered but action held over: S. 759, to provide for detail of military and naval missions to foreign governments; S. 1112, to provide for transfer of Ft. Douglas, Utah; and H. R. 1366, to provide for Army-Navy procurement.

ALCOHOLIC CLINIC

Committee on the District of Columbia: Subcommittee on S. 757, to establish an Alcoholic Clinic in D. C., heard the following witnesses: Clinton N. Howard, Int'l Reform Federation; Mrs. Geo. C. Thorpe, Washington Committee for Education on Alcoholism; and Dr. E. Y. Williams, Freedmen's Hospital.

SURPLUS PROPERTY AND FSA

Committee on Expenditures in the Executive Departments: In executive session, reported S. 1515, to make surplus property available for alleviation of damage caused by flood or other catastrophe, with perfecting amendments, and S. 1512, to improve accounting within FSA to authorize intra-agency transfer and consolidation of appropriations by Administrator.

It was agreed that subcommittee on intergovernmental relations would be represented at the Conference of Governors to be held in Salt Lake City July 13-16 by Senators Bricker and O'Connor.

FOREIGN INFORMATION AND EXCHANGE

Committee on Foreign Relations: Subcommittee on H. R. 3342, U. S. Information and Educational Exchange Act, in executive session heard Asst. Sec. of State William Benton, and State Dept. Political Advisor Maynard B. Barnes. Subcommittee also released a statement from Army Chief of Staff Eisenhower favoring the program. Subcommittee meets again July 5.

RAILROAD AND GAS BILLS—FCC NOMINATION

Committee on Interstate and Foreign Commerce: S. 249, railroad finance bill, was reported, with amendments, as was S. 1028, to amend the Natural Gas Act amendments on eminent domain.

Agreed to have subcommittee meet July 7 to hear opposition witnesses on appointment of Robt. F. Jones as FCC Commissioner.

POSTMASTER RELIEF

Committee on the Judiciary: Senator Kilgore and Earl Stone, Post Office Dept., testified on S. 99, to provide relief for postmaster in Beckley, W. Va.

HEALTH LEGISLATION

Committee on Labor and Public Welfare: Subcommittee, continuing hearings on S. 545, to create an independent national health agency, and S. 1320, National Health Insurance and Public Health Act of 1947, heard the following witnesses testify in support of S. 1320: Dr. Allan Mr. Butler, Arts, Sciences, and Professions, Progressive Citizens of America; Ernie Rymer, International Workers Order, N. Y.; Dr. Montague Cobb, National Assn. for the Advancement of Colored People, Washington; Leo J. Linder, National Lawyers Guild, N. Y.; and Clark Foreman, Southern Conference for Human Welfare, Washington. Hearings continue next week.

FISHERY RESOURCES

Committee on Public Lands: National Resources Economic Subcommittee, continuing its study of the fishery resources, heard Dr. Wm. E. S. Flory, International Resources Division, State Dept., discuss conservation, exploitation, and international trade aspects of fisheries; H. B. McCoy, Office of Domestic Commerce, Commerce Dept., review impacts of imports on this domestic industry, and export trade; and Charles R. Carry, National Cannery Assn., relate of the interests of his organization.

PUBLIC LANDS

Committee on Public Lands: Subcommittee on Public Lands, in executive session, considered various calendar bills which will be reported to the full committee on Monday.

CENTRAL ARIZONA PROJECT

Committee on Public Lands: The following witnesses testified in support of S. 1175, to construct and operate a dam at Bridge Canyon, central Arizona project: Judge Clifford A. Stone, Commissioner for Colorado on Upper Colorado River Basin Compact Commission; R. J. Tipton, Arizona State consultant engineer; and R. Gail Baker, Arizona State reclamation engineer. K. S. Wingfield, economic engineer, and H. S. Casey Abbott, Arizona Farm Bureau Federation, filed supporting statements.

House of Representatives

Chamber Action

Bills Introduced: Seven public bills, H. R. 4083-4089; and three resolutions, H. J. Res. 225 and 226, and H. Con. Res. 57, were introduced. Pages 8372-8373

Bills Reported: Bills and resolutions were reported, as follows:

H. Res. 270, rule providing 2 hours' debate on H. R. 1639, amending Employers' Liability Act so as to limit venue in actions brought in U. S. district courts or in State courts under such act (H. Rept. 788);

H. Res. 271, rule providing 1 hour debate on H. Con. Res. 54, providing for the use of Schick General Hospital, Clinton, Iowa, by the Veterans' Administration (H. Rept. 789);

H. R. 3043, transferring lands to the Secretary of the Interior (H. Rept. 790);

Three private claims bills, S. 1360, H. R. 2350, and H. R. 1931 (H. Repts. 791-793, incl.); and

H. R. 4055, providing increases in pensions of veterans of Indian wars and their dependents (H. R. 794).

Page 8372

Tax Bill: The Committee on Ways and Means was granted permission to file by midnight Thursday, July 3, a report on H. R. 3950, a bill to reduce individual income-tax payments, which, when filed, will be House Report No. 795. Page 8343

Sugar: The Committee on Agriculture received permission to file by midnight Thursday, July 3, a report on H. R. 4075, the Sugar Act of 1948, which, when filed, will be House Report No. 796. Page 8360

State, Justice, and Commerce: Adopted the conference report (H. Rept. 787) on H. R. 3311, making appropriations of \$551,325,932 for the Departments of State, Justice, and Commerce, and the Judiciary in 1948, thereby completing congressional action. Pages 8349-8353

Unemployment Tax: Passed H. R. 4011, amending the Federal Unemployment Tax, providing that a State law may, without violating present standards, permit voluntary contributions to be used in computation of reduced rates, if such contributions are paid within 120 days after the beginning of the rate year or prior to January 1, 1948, whichever is later. This amendment will be applicable only with respect to contribution rate years beginning after December 31, 1945. Pages 8345-8346

Program for Monday: Adjourned at 3:04 p. m., until noon Monday, July 7, for consideration of the Consent Calendar, and bills under suspension of the rules.

Reports on Committee Meetings

TONGASS NATIONAL FOREST

Committee on Agriculture: Held hearings on H. J. Res. 205, authorizes sale of timber within Tongass National Forest, and heard James E. Curry and the following members of the Alaskan Native Brotherhood: Frank G. Johnson, Frank Teratarovich, Andrew Hope, and Fred Grant, Sr.

Met in executive session and ordered favorably reported S. 512, to extend the provisions of the Bankhead-Jones Farm Tenant Act and Soil Conservation and Domestic Allotment Act to the Virgin Islands; S. 338, a plant quarantine bill, as amended; and H. R. 1809, to facilitate the use and occupancy of national forest lands, as amended, limiting the bill to Alaska only.

MILK PRICE SUPPORT

Committee on Banking and Currency: Held hearings on H. R. 3370, to direct the Secretary of Agriculture to support the price of milk at not less than \$3.10 per hundred pounds, and heard Representative Murray, who testified in favor of the bill; and Don Anderson, Director of the Dairy Branch, who represented the Department of Agriculture.

D. C. HOME RULE

Committee on the District of Columbia: Subcommittee on Home Rule and Reorganization met on the problem of Federal agencies operating in the District of Columbia, and heard Mastin White, Solicitor, Department of the Interior; Newton Drury, National Park Service; Arthur E. Demaray, Association Director, National Park Service; Irving C. Root, National Capital Parks; and Robert C. Goodwin, USES, Department of Labor.

Subcommittee on Insurance, Public Utilities, and Banking met in executive session and ordered favorably reported to the full committee H. R. 3998, a compromise bill on casualty insurance. S. 629 was held for full committee action. H. R. 1632 and H. R. 1688 were considered but no action taken.

WORLD HEALTH

Committee on Foreign Affairs: Subcommittee on National and International Movements held hearings on H. J. Res. 161, World Health Organization, and heard Dr. G. Foard McGinnes, vice chairman in charge of health service of the National Red Cross; Dr. H. van Zile Hyde, Department of State; and Durward V. Sandifer, Department of State.

DIGEST OF CONGRESSIONAL PROCEEDINGS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued July 16, 1947
For actions of July 15, 1947
80th-1st, No. 135

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HIGHLIGHTS: House sent agricultural appropriation bill to conference. House passed bill to permit agencies to meet payrolls for first half of July. House passed bill to permit sale of timber in Tongass Forest. House passed employees' loyalty bill. House committees reported wool bill without import-control provision, bill to limit entry of nursery stock, bill to amend various peanut-quota provisions, bill to abolish Jackson Hole Monument and return lands to Forest Service, and bill to change basis for 20% marketing-research requirement. Both Houses agreed to conference report on legislative appropriation bill. Rep. Hope introduced bill to authorize Agriculture Committee to investigate agricultural matters. Senate passed independent offices appropriation bill. Sen. Williams said CCC was responsible for "technical corner" on wheat market and discussed Government marketing operations.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL. Reps. Dirksen, Plumley, Andersen, Horan, Phillips of Calif., Cannon, Whitten, and Sheppard were appointed conferees on this bill, H. R. 3601 (p. 9103). Senate conferees were appointed July 14.
2. TEMPORARY APPROPRIATIONS. Passed without amendment H. J. Res. 240, which reads as follows: "Resolved, etc. That there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to meet pay rolls (obligations for which were incurred in accordance with section 102 of the Second Urgent Deficiency Appropriation Act, 1947, Public Law 161) for pay periods ending prior to July 16, 1947: Provided, That expenditures hereunder shall be charged to the appropriate appropriations for the fiscal year 1948 when made" (p. 9117).
3. FORESTS. Passed as reported H. J. Res. 205, to authorize sale of timber in the Tongass National Forest, Alaska, in such a way as to facilitate pulp production in view of the aboriginal claims of Indians (p. 9094). A similar measure, S. J. Res. 118, has been reported in the Senate.
4. EMPLOYEES' LOYALTY. Passed, 319-61, with amendments H. R. 3813, which provides for a preliminary loyalty check on all Federal employees and job applicants by the Civil Service Commission and an investigation by FBI of adverse findings, prior to action by a 5-member Federal Loyalty Review Board, whose findings of fact are to be final (pp. 9118-56). A motion to recommit the bill to provide for appeal to the Court of Appeals was rejected 133-248.

- 4a. TVA COOPERATIVES. Received from this Department a proposed bill to provide for liquidation of Tenn. Valley Coop. Inc., by USDA; to Agriculture Committee (p. 9163).
5. WOOL-PRICE SUPPORTS. The Agriculture Committee reported without amendment S. 1498, the wool bill which is the same as the vetoed bill except for elimination of the import-control provisions (H. Rept. 920)(p. 9163).
6. PLANT QUARANTINE. The Agriculture Committee reported with amendments S. 338, to authorize USDA to limit importation of nursery stock to that needed for propagation and require that such stock be grown in post-entry quarantine to determine whether it is infested or infected (H. Rept. 921)(p. 9163).
7. PEANUT QUOTAS. The Agriculture Committee reported without amendment H. R. 4124, to amend peanut-quota provisions by providing that the farm marketing quota shall be the actual production of the farm acreage allotment and that no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm; by changing the excess-marketing penalty to 50% of the basic loan rate; and by making peanuts subject to quotas even though marketed before the beginning of the marketing year, with penalties for false statements regarding this (H. Rept. 922)(pp. 9163-4).
8. FORESTS. The Public Lands Committee reported with amendments H. R. 1330, to abolish the Jackson Hole National Monument and return certain forest lands to the Forest Service (H. Rept. 914)(p. 9163).
9. RESEARCH. The Agriculture Committee reported without amendment H. R. 4110, which amends the Research and Marketing Act of 1946 by providing that not less than 20% of the funds "appropriated", rather than those "authorized to be appropriated", for general research shall be used by the State agricultural experiment stations for conducting marketing research approved by the Department (H. Rept. 930)(p. 9164).
10. PERSONNEL. The Interstate and Foreign Commerce Committee reported without amendment S. Con. Res. 14, favoring fair representation of small businessmen on policy-making bodies created by Executive appointments (H. Rept. 929)(p. 9164).
11. RECLAMATION. The Public Lands Committee reported without amendment H. Res. 244, for investigations looking to provision of additional water for southern Calif. and the Colo. River Basin (H. Rept. 916)(p. 9163).
This Committee reported without amendment H. R. 3834, to authorize a project for rehabilitation of certain works of the Fort Sumner irrigation district in N. Mex. (H. Rept. 924)(p. 9164).
12. CIVIL-SERVICE RETIREMENT. The Rules Committee reported a resolution providing for consideration of H. R. 4127, the omnibus retirement bill (p. 9163).
13. LEGISLATIVE APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 3993 (pp. 9069-70, 9109-10). This bill will now be sent to the President.
14. NAVAL APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 3493 (pp. 9070-1, 9104-9). This bill will now be sent to the President.
15. RESEARCH. H. R. 4102, as reported (see Digest 131), creates a National Science Foundation of 24 members to be appointed by the President and confirmed by the Senate, to formulate, develop, and establish a national policy for promotion of fundamental research and education in the sciences and to correlate its scientific programs with those undertaken by individuals and by public and private research groups; provides for an executive committee of the Foundation and a Director to be appointed by the Foundation; establishes an interdepartmental

AMENDING THE PLANT QUARANTINE ACT

JULY 15, 1947.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HOPE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany S. 338]

The Committee on Agriculture, to whom was referred the bill (S. 338) to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

Page 1, line 4, strike out the words "adding thereto a new section" and insert in lieu thereof the words "substituting a colon for the period at the end of section 1, and by adding thereto a new proviso".

Page 1, line 6, strike out all of lines 6, 7, and 8, and the first 5 words of line 9, and insert in lieu thereof the words "*And provided further, That*".

Page 1, line 10, strike out the words "and bulbs".

Page 1, line 11, strike out the words "to that needed for propagation purposes,".

Page 2, line 3, strike out the words "and bulbs".

Page 2, line 6, strike out the words "or bulbs".

Page 2, line 8, strike out the words "or bulbs are" and insert in lieu thereof the word "is".

Amend the title so as to read:

A bill to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1.

STATEMENT

The bill (S. 338) was considered simultaneously with two similar bills (H. R. 2950) and (H. R. 2773). This bill would authorize the Secretary of Agriculture to limit the entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary, including the requirement that such nursery stock be grown under

post-entry quarantine for the purpose of determining whether imported nursery stock is infested or infected with plant pests. As passed by the Senate, the bill specifically included bulbs. This was opposed by virtually all the witnesses appearing before this committee. The committee believes that under the Plant Quarantine Act, as amended by this bill, there will be sufficient authority provided for adequate control over the importation of nursery stock, including bulbs.

By the committee amendments, there has been eliminated from the bill the provision which would authorize the Secretary to limit the entry of nursery stock to that needed "for propagation purposes." Under the bill as amended the Secretary of Agriculture will be free to impose such limitations on the importation of nursery stock as may be necessary for proper and adequate pest control.

The views of the Secretary of Agriculture relative to the proposed legislation are set out in considerable detail in a letter from the Secretary to the chairman of the Senate Committee on Agriculture and Forestry which (together with a memorandum from the Department) is reproduced herewith and made a part of this report.

FEBRUARY 7, 1947.

HON. ARTHUR CAPPER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR CAPPER: This is in reply to your request of January 25 for a report on S. 338, a bill to amend the Plant Quarantine Act approved August 20, 1912, as amended by adding thereto a new section.

The Senate bill S. 338 has been compared with S. 1990 which was introduced in the last session of the Seventy-ninth Congress and has been found to be identical. This report, with the exception of this added paragraph, is the same as that submitted by the Department of Agriculture under date of August 30, 1946 on S. 1990.

This bill would authorize the Secretary of Agriculture to limit the entry of nursery stock from foreign countries to that needed for propagation purposes in order to protect American agricultural, horticultural, and forestry interests from insect pests and plant diseases new to or not widely distributed within the United States under such rules and regulations as he may deem necessary. Furthermore, it authorizes the Secretary of Agriculture to require, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port of entry inspection and authorizes the prescription of remedial measures as may be deemed necessary in the case of nursery stock found infested or infected with injurious insect pests and plant diseases.

With certain reservations the Department is in sympathy with the purpose of this bill. One reservation is the phrase on line 1, page 2, "to that needed for propagation purposes." It is our belief that this phrase should be stricken from the bill. The proposed legislation goes on to say that the Secretary of Agriculture may, if necessary, require that imported nursery stock be grown under postentry quarantine by or under the supervision of the Department. If the Department should act under this portion of the proposed authorization it is not clear why there should be a restriction that the nursery stock so held should be restricted to purposes of propagation. From the standpoint of the Department of Agriculture it would appear that after the postentry quarantine requirements that might be imposed by the Secretary of Agriculture had been met, the Department should not be concerned with the subsequent use made of the plants in question.

Another reservation is that as phrased the proposed legislation leaves in doubt whether those who might be interested in the actions which might be taken under this authorization would be given a chance to be heard. In order to definitely establish this point the Department proposes an amendment to be added at the end of the present language by substituting for the final period on line 11 of page 2 a colon and "Provided, That before the Secretary of Agriculture shall promulgate

any rule or regulation hereunder limiting the entry of nursery stock from foreign countries or prescribing the growth of such nursery stock under postentry quarantine he shall, after due notice, give a public hearing, under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney."

There is no way with the information now available by which the Department can attest to the freedom from virus diseases of any imported nursery stock. In the light of present information the Department would take such steps as might be needed for the purpose of applying the provision included in the proposed amendment to many kinds of imported nursery stock. Such nursery stock would be held under observation for such period or periods of time as might be needed to determine whether it is infested or infected with plant pests not discernible by inspection at the port of entry.

We believe the supplemental authority contained in this bill would give added protection to the agricultural, horticultural, and forestry interests of this country by authorizing the limiting of quantities of imported nursery stock. We believe also that protection provided by the Plant Quarantine Act of 1912 would be strengthened by this bill which would authorize postentry inspections and the application of remedial measures should plant pests be found which were not discernible by inspection at the port of entry. Additional reasons for this belief are set forth in the accompanying memorandum which contains comments regarding the enforcement of the existing law.

If enacted in its present form this bill would require not more than a nominal increase in appropriations to this Department. Discussions with State plant quarantine officials regarding this problem indicate that the States would cooperate in the making of field inspections of imported nursery stock.

With the amendment referred to above, this Department recommends passage of this bill.

The Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely yours,

CLINTON P. ANDERSON, *Secretary*

DISCUSSION OF S. 335, AN AMENDMENT TO THE PLANT QUARANTINE ACT OF 1912

The Plant Quarantine Act of 1912 as amended provides that it shall be unlawful for any person to import nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture. It also provides that importations of nursery stock shall be accompanied by evidence of inspection by the proper official of the country of export and in the case of countries not having official systems of inspection the nursery stock shall be admitted under conditions and regulations prescribed by the Secretary of Agriculture. Provision is also made whereby, if the Secretary of Agriculture determines that it is necessary to forbid the importation into the United States of any class of nursery stock from a country or locality where an injurious insect or plant disease new to or not widely distributed within this country occurs he shall, after a public hearing, promulgate his determination, specifying the country and locality and the class of nursery stock which, in his opinion, should be excluded.

It is the belief of this Department that under the act of 1912 the Secretary of Agriculture does not have the authority to limit the quantities of nursery stock that may be offered for entry or to require precautions or safeguards after its entry. The Secretary has authority under existing law to promulgate quarantines prohibiting the entry of nursery stock from specified countries and localities where there is a particular pest risk (sec. 7). If the nursery stock is from countries not maintaining official systems of inspection the Secretary of Agriculture has authority to prescribe conditions and regulations under which it may be admitted. If the nursery stock is from countries having official systems of inspection and if the conditions and regulations have been complied with, the Secretary of Agriculture is required to issue the permit for any particular importation of nursery stock. The proposed amendment authorizes him to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary for the purpose of reducing the danger of the importation of serious insect pests and plant diseases.

Some 27 years ago the Department promulgated quarantine No. 37, the nursery stock, plant, and seed quarantine, which brought together the restrictions governing the entry of nursery stock from abroad. In regulations adopted under this

quarantine the Department, in the belief that it had the legal right, sought to limit the quantities of imported nursery stock, to maintain certain postentry supervision over it, and to exercise a degree of control over its use by issuing permits for its entry for propagation only and by other restrictions. Through the years, for a variety of reasons, these regulations were modified because of difficulty in enforcement and finally were revoked because the legality of this procedure was questioned by the legal staff of the Department. The restriction as to quantity limits was taken off during the war when there was comparatively little movement of nursery stock and none from some of the more important nursery stock exporting countries. The fiscal year 1946 was the first one, therefore, in many years in which there were no restrictions exercised by the Department with respect to the quantities of nursery stock that might be imported when transportation was available for reasonably free movement.

It is interesting to compare the imports of the first postwar year with representative years prior to the war. Comparison of quantities of woody plants for the fiscal year 1946 and the 5-year average 1933-37 shows 477,737 woody plants imported in 1946 and an average of 161,561 in 1933-37. This represents a range from 53,515 in 1933 to 371,598 in 1936. Of these totals rose bushes represent one of the largest components. Nineteen hundred and forty-six imports of roses were 218,802 and the average for the 5-year period 1933-37 was 11,039. The range for roses in this period was from 2,821 in 1934 to 30,014 in 1935.

The Department believes there is some unavoidable pest risk associated with the importation of nursery stock. Assuming that this unavoidable pest risk may have been reduced as far as is practicable it is the belief of the Department of Agriculture that increasing the volume of nursery stock imports adds to the risk. The Department believes that limiting such imports to permit examination of them at appropriate intervals in postentry quarantine would preserve a reasonable balance between our desire to trade with other countries and to protect our agricultural, horticultural, and forestry interests from destructive insects and plant diseases.

There are many kinds of nursery stock that are usually given some form of treatment to supplement inspection or to destroy organisms detected by inspection which it is known may be controlled by such means. The volume of nursery stock offered for entry in the current season at times exceeded the capacity of the Department to provide treatment without serious delay. In addition there exists a wide variety of plant diseases which are not detectable by inspection and for which there is no known method of providing treatment. In order to deal with pests of this character which are not detectable by inspection and for which there is no known method of treatment it is the belief of the Department that to exercise control over the volume of importation of nursery stock and to require postentry inspection and such remedial measures as he may deem necessary following such inspection as a safeguard against conditions which cannot be recognized by inspection of the dormant plants at time and place of entry would provide an added degree of protection. It is believed the proposed legislation provides an important safeguard in this respect.

Informal discussions between the officials of the Bureau of Entomology and Plant Quarantine of this Department and representatives of the State plant quarantine officials have led to the assurance that the various States could be expected to cooperate in the making of necessary postentry inspections of imported nursery stock. This would provide an important means of supplementing this Department's staff for making necessary field inspections and thus require not more than a nominal increase in Federal appropriations for this work. We believe this informal arrangement would be formally accepted by the appropriate officials of the States if this legislation becomes law thereby authorizing the Department to require detention of the plants, following their entry, for the requisite period of time.

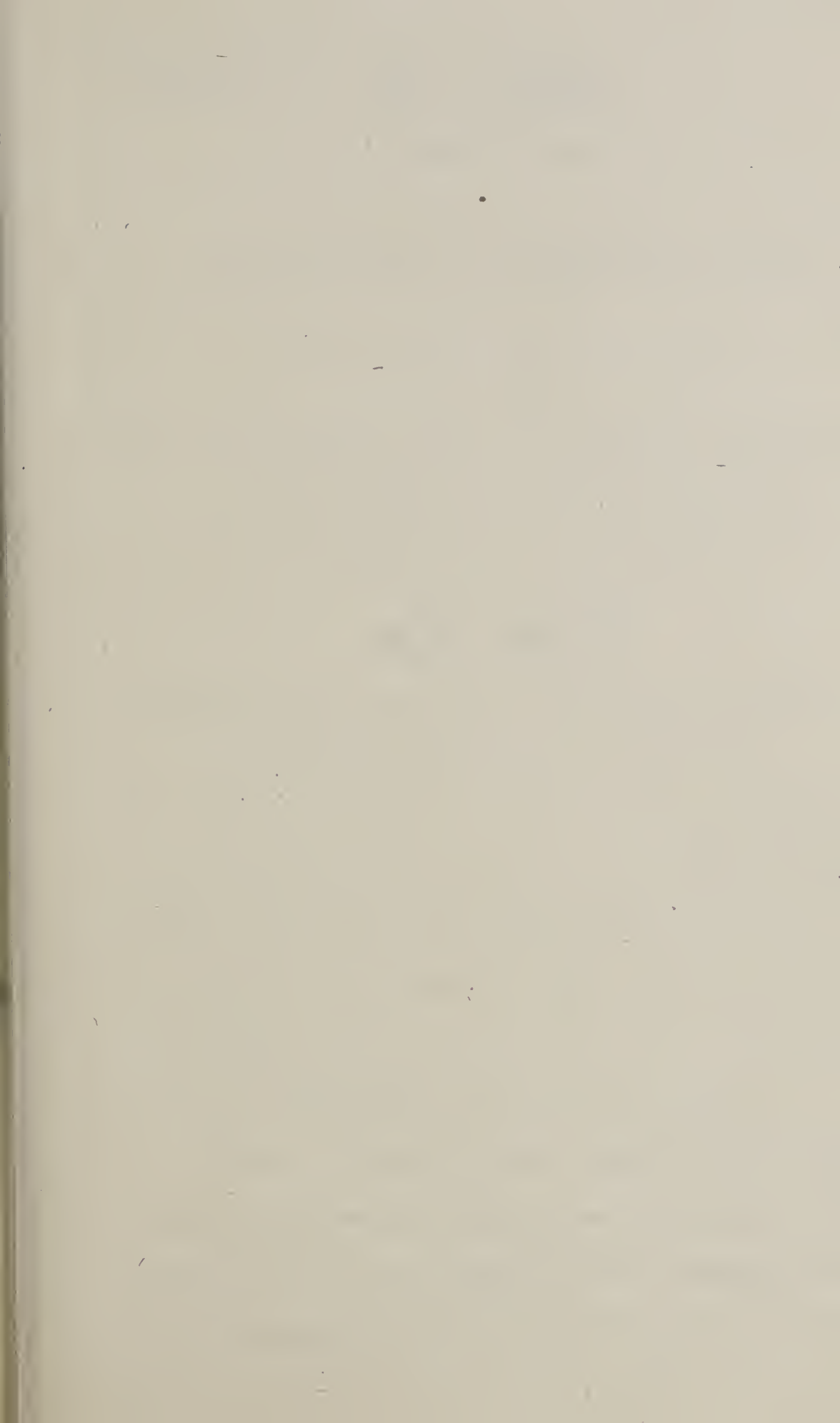
CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is in italics, existing law in which no change is proposed is shown in roman):

PLANT QUARANTINE ACT

SEC. 1. It shall be unlawful for any person to import or offer for entry into the United States any nursery stock unless and until a permit shall have been issued therefor by the Secretary of Agriculture, under such conditions and regulations as the said Secretary of Agriculture may prescribe, and unless such nursery stock shall be accompanied by a certificate of inspection, in manner and form as required by the Secretary of Agriculture, of the proper official of the country from which the importation is made to the effect that the stock has been thoroughly inspected and is believed to be free from injurious plant diseases and insect pests: *Provided*, That the Secretary of Agriculture shall issue the permit for any particular importation of nursery stock when the conditions and regulations as prescribed in this act shall have been complied with: *Provided further*, That nursery stock may be imported for experimental or scientific purposes by the Department of Agriculture upon such conditions and under such regulations as the said Secretary of Agriculture may prescribe: *And provided further*, That nursery stock imported from countries where no official system of inspection for such stock is maintained may be admitted upon such conditions and under such regulations as the Secretary of Agriculture may prescribe[.]: *And provided further*, That the Secretary of Agriculture is authorized to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof.





80TH CONGRESS
1ST SESSION

S. 338

[Report No. 921]

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1947

Referred to the Committee on Agriculture

JULY 15, 1947

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

AN ACT

To amend the Plant Quarantine Act approved August 20, 1912,
as amended, by adding thereto a new section.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Plant Quarantine Act approved August 20, 1912,
4 as amended, be amended by ~~adding thereto a new section,~~
5 *substituting a colon for the period at the end of section 1*
6 *and by adding thereto a new proviso as follows:*

7 “SEC. : In order to protect American agriculture, hor-
8 ticulture, and forestry from injurious insect pests and plant
9 diseases new to or not widely prevalent or distributed within
10 and throughout the United States “*And provided further,*

1 *That* the Secretary of Agriculture is authorized to limit
2 entry of nursery stock ~~and bulbs~~ from foreign countries ~~to~~
3 ~~that needed for propagation purposes,~~ under such rules and
4 regulations as he may deem necessary, including the require-
5 ment, if necessary, that such nursery stock ~~and bulbs~~ be
6 grown under postentry quarantine by or under the super-
7 vision of the United States Department of Agriculture for
8 the purpose of determining whether imported nursery stock
9 ~~or bulbs~~ may be infested or infected with plant pests not
10 discernible by port-of-entry inspection and provided that if
11 imported nursery stock ~~or bulbs are~~ is found to be infested
12 or infected with such plant pests, he is authorized to pre-
13 scribe remedial measures as he may deem necessary to
14 prevent the spread thereof."

Amend the title so as to read: "An Act to amend the
Plant Quarantine Act approved August 20, 1912, as
amended, by adding a new proviso to section 1."

Passed the Senate April 21, 1947.

Attest:

CARL A. LOEFFLER,

Secretary.

80TH CONGRESS
1ST SESSION

S. 338

[Report No. 921]

AN ACT

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

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JULY 15, 1947

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

passed the House on May 12. This bill provides for veterans who are receiving institutional or farm training.

The Mathews bill, H. R. 4007, was reported from committee on July 2, 1947, under Report No. 780. This bill supercedes H. R. 3583, which is for a similar purpose. It provides for automobiles for service-connected disabled veterans who sustained the loss, or loss of use of a foot or a hand, or who are blind. The Rules Committee was requested to permit a special rule but has taken no action upon a hearing held upon this request.

The Patterson bill, H. R. 3889, was reported from committee on July 8, 1947, under Report No. 808, and is now upon the Consent Calendar. This measure would establish a presumption of service-connection for chronic and tropical diseases. It would fill a need caused by extensive service by veterans of World War II in tropical countries.

The Mathews bill, H. R. 4055 was reported from committee on July 11, 1947, and is now upon the Consent Calendar of the House. This bill would grant to veterans of the Indian wars and to their dependents the same increase in pension (20 percent) that was given to Civil War and Spanish-American War veterans by H. R. 3961, which was passed by the House unanimously.

The Crow bill, H. R. 3623, was reported from committee on July 2, 1947, and is now upon the Consent Calendar of the House. It provides that members of the Communist Party shall be ineligible for veterans' benefits and exacts penalties for infraction of the law.

The following letter shows the need for H. R. 4007:

BOSTON, MASS., July 8, 1947.

DEAR MRS. ROGERS: I am a blinded amputee veteran of this past World War and although entitled to a car under the present bill, being an amputee, I am not able to qualify for one, being blinded in the same action in which I lost my left leg, blinded in addition to the loss of my leg, I cannot get a car as I cannot see to drive it myself, and I would like to add my case to the many you have already heard about who are left out of the present bill which just ended last month.

I think I am entitled to a car as an amputee but also more so being blinded, through no fault of my own and in action in Italy in the Infantry.

I have been following the accounts of your committee in trying to have the old bill changed and fairer distribution of cars to amputees, either through a new bill or an amendment to the old one. I find it very hard getting around and need a car as much or more so than a sighted amputee. I spent 2 years in Army hospitals, and besides the loss of a leg and being blinded my other leg is also badly damaged and this adds to my problem of traveling. I know there are hundreds of other veterans like me who were left out of the car bill and are entitled to them just as much as the sighted amputees.

You have my permission to use my case in any way you see fit to help bring about a fair bill on autos for amputees now. We need these cars now and hope Congress will take action before they close this session.

Sincerely yours,

Ex-Tech. Sgt. PHILIP H. HURRELL.

GENERAL LEAVE TO EXTEND

Mrs. ROGERS of Massachusetts. Mr. Speaker, I also ask unanimous consent that the members of the committee and

all Members may extend their remarks at this point in the RECORD if they so wish.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3493. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes;

H. R. 3993. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes;

H. R. 3950. An act to reduce individual income-tax payments; and

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1419. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and joint resolution of the House of the following titles:

H. R. 3950. An act to reduce individual income taxes; and

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

ADJOURNMENT

Mr. McDOWELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 16, 1947, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

927. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the transfer of certain troop-kitchen railway cars to the War Department, and for other purposes; to the Committee on Armed Services.

928. A letter from the Acting Secretary of the Navy, transmitting report of proposed transfer of equipment to Junior Naval Reserve Unit, Sanford, Fla.; to the Committee on Armed Services.

929. A letter from the Acting Secretary of the Navy, transmitting report of proposed transfer of equipment to All Hallow's Episcopal Church, Snow Hill, Md.; to the Committee on Armed Services.

930. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill to provide for the liquidation and dissolution of the Tennessee Valley Associated Cooperatives, Inc.; to the Committee on Agriculture.

931. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of activities of the Reconstruction Finance Corporation for the month of February 1947; to the Committee on Banking and Currency.

932. A letter from the Acting Secretary of the Navy, transmitting a report of a proposed transfer of a picket boat to the United States, Coast Guard Auxiliary Flotilla 33, of California; to the Committee on Armed Services.

933. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 1330. A bill to abolish the Jackson Hole National Monument as created by Presidential Proclamation No. 2578, dated March 15, 1943, and to restore the lands belonging to the United States within the exterior boundaries of said monument to the same status held immediately prior to the issuance of said proclamation, with amendments (Rept. No. 914). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. S. 272. An act to provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible; without amendment (Rept. No. 915). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. House Resolution 244. Resolution for the initiation of investigations looking to the provision of additional water for southern California and the Colorado River Basin, and for other purposes; without amendment (Rept. No. 916). Referred to the Committee of the Whole House on the State of the Union.

Mr. TABER: Committee on Appropriations. House Joint Resolution 240. Joint resolution making temporary appropriations for the fiscal year 1948; without amendment (Rept. No. 917). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 292. Resolution providing for the consideration of H. R. 4127, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; without amendment (Rept. No. 918). Referred to the House Calendar.

Mr. WELCH: Committee on Public Lands. H. R. 3325. A bill to enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes; with an amendment (Rept. No. 919). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. S. 1498. An act to provide support for wool, and for other purposes; without amendment (Rept. No. 920). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. S. 338. An act to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section; with amendments (Rept. No. 921). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 4124. A bill to amend the peanut marketing quota provisions of the Agricul-

tural Adjustment Act of 1938, as amended; without amendment (Rept. No. 922). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 3980. A bill to enable debtor railroad corporations expeditiously to effectuate reorganizations of their financial structures; to alter or modify their financial securities; and for other purposes; with amendments (Rept. No. 923). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 3834. A bill to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes; without amendment (Rept. No. 924). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 3814. A bill to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.; with an amendment (Rept. No. 925). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 3417. A bill to provide for the conveyance to Escambia County, State of Florida, of a portion of Santa Rosa Island which is under the jurisdiction of the War Department; with an amendment (Rept. No. 926). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIKES: Committee on Armed Services. H. R. 3735. A bill to authorize and direct the Secretary of War to donate and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., and for other purposes; with amendments (Rept. No. 927). Referred to the Committee of the Whole House on the State of the Union.

Mr. CHAPMAN: Committee on Interstate and Foreign Commerce. H. R. 3632. A bill to extend the time within which applications may be made to the Railroad Retirement Board for certain refunds from the unemployment trust fund; without amendment (Rept. No. 928). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOWELL: Committee on Interstate and Foreign Commerce. Senate Concurrent Resolution 14. Concurrent resolution favoring a fair representation of American small businessmen on policy-making bodies created by Executive appointment; without amendment (Rept. No. 929). Referred to the House Calendar.

Mr. HOPE: Committee on Agriculture. H. R. 4110. A bill to amend title I of the act entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935 (the Bankhead-Jones Act); without amendment (Rept. No. 930). Referred to the Committee of the Whole House on the State of the Union.

Mr. LECOMPTE: Committee on House Administration. House Concurrent Resolution 70. Concurrent resolution authorizing the Committee on Expenditures in the Executive Departments of the House of Representatives to have printed for its use additional copies of the hearings on the bill H. R. 2319, the National Security Act of 1947; with an amendment (Rept. No. 931).

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BREHM:

H. R. 4200. A bill to provide for, foster, and aid in coordinating research relating to den-

tal diseases and conditions; to establish the National Institute of Dental Research, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. D'EWART:

H. R. 4201. A bill to authorize payments to the public-school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project; to the Committee on Public Lands.

By Mr. ROGERS of Florida:

H. R. 4202. A bill to amend the Reconstruction Finance Corporation Act so as to authorize the Reconstruction Finance Corporation to purchase loans guaranteed or insured under the Servicemen's Readjustment Act of 1944; to the Committee on Banking and Currency.

By Mr. WELCH:

H. R. 4203. A bill to establish eligibility for burial in national cemeteries, and for other purposes; to the Committee on Public Lands.

By Mr. BECKWORTH:

H. R. 4204. A bill to amend the Reconstruction Finance Corporation Act so as to authorize the Reconstruction Finance Corporation to purchase loans guaranteed or insured under the Servicemen's Readjustment Act of 1944; to the Committee on Banking and Currency.

By Mr. DEVITT:

H. R. 4205. A bill to provide for the settlement and payment to certain motor carriers of claims against the United States for damages resulting from Federal possession, control, and operation in time of war of the carriers' transportation systems and properties; to provide for just compensation to such carriers for the use of such transportation systems and properties during such possession, control, and operation; and for other purposes; to the Committee on the Judiciary.

By Mr. TOWE:

H. R. 4206. A bill to provide for the payment of a uniform allowance to officers of the National Guard of the United States; to the Committee on Armed Services.

H. R. 4207. A bill to amend Thirty-second United States Code, section 49 (67 N. D. A.), as amended, to provide for an active-duty status for all United States property and disbursing officers; to the Committee on Armed Services.

By Mr. COLE of New York:

H. R. 4208. A bill to amend section 251 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. DAVIS of Tennessee:

H. R. 4209. A bill authorizing the Administrator of Veterans' Affairs to grant an easement in certain land to the city of Memphis, Tenn., for street-widening purposes; to the Committee on Veterans' Affairs.

By Mr. HAGEN:

H. R. 4210. A bill to provide for an amendment to chapter 29 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mrs. BOLTON:

H. R. 4211. A bill to amend section 301 of the Federal Food, Drug, and Cosmetic Act so as to prohibit the introduction into interstate commerce of salt, in certain containers, not having a required content of iodides; to the Committee on Interstate and Foreign Commerce.

By Mr. MEADE of Kentucky:

H. R. 4212. A bill to provide increased subsistence allowance to veterans pursuing certain courses under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REED of New York:

H. R. 4213. A bill to change the order of priority for payment out of the German special deposit account, and for other purposes; to the Committee on Ways and Means.

By Mr. HOFFMAN:

H. R. 4214. A bill to promote the national security by providing for a Secretary of Defense; for a national military establishment; for a Department of the Army, a Department

of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security; to the Committee on Expenditures in the Executive Departments.

By Mr. KUNKEL:

H. R. 4215. A bill to create the office of Senator at Large in the Senate of the United States for ex-Presidents of the United States; to the Committee on the Judiciary.

By Mr. LEMKE:

H. R. 4216. A bill to define some acts constituting lack of good behavior within the terms of article III, Section 1, of the Constitution of the United States of justices and judges of courts of the United States; to the Committee on the Judiciary.

By Mr. MACK:

H. R. 4217. A bill appropriating funds for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Wash.; to the Committee on Appropriations.

By Mr. GRAHAM (by request):

H. J. Res. 239. Joint resolution proposing an amendment to the Constitution of the United States with respect to religious freedom; to the Committee on the Judiciary.

By Mr. TABER:

H. J. Res. 240. Joint resolution making temporary appropriations for the fiscal year 1948; to the Committee on Appropriations.

By Mr. MCCORMACK:

H. J. Res. 241. Joint resolution to provide for the preparation of a plan for the participation by the United States in the observance and celebration in Cuba of the fiftieth anniversary of American and Cuban victories in the War with Spain; to the Committee on Foreign Affairs.

By Mr. ROSS:

H. Con. Res. 72. Concurrent resolution to call a conference for the revision and strengthening of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. LODGE:

H. Con. Res. 73. Concurrent resolution establishing a joint committee to investigate high prices of consumer goods; to the Committee on Rules.

By Mr. FOOTE:

H. Con. Res. 74. Concurrent resolution establishing a joint committee to investigate high prices of consumer goods; to the Committee on Rules.

By Mr. KNUTSON:

H. Res. 293. Resolution to authorize the Committee on Ways and Means to continue its investigation and study of the internal-revenue laws; to the Committee on Rules.

By Mr. HOFFMAN:

H. Res. 294. Resolution authorizing the printing of 6,000 additional copies of the third intermediate report, entitled "Investigation of the Participation of Federal Officials in the Formation and Operation of Health Workshops"; to the Committee on House Administration.

By Mr. EATON:

H. Res. 295. Resolution authorizing the Committee on Foreign Affairs to conduct studies and investigations of all matters coming within the jurisdiction of that committee and providing for participation by members of other standing committees of the House of Representatives; to the Committee on Rules.

By Mr. HERTER:

H. Res. 296. Resolution to create a Select Committee on Foreign Aid; to the Committee on Rules.

By Mr. KNUTSON:

H. Res. 297. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 293; to the Committee on House Administration.

By Mr. HOPE:

H. Res. 298. Resolution authorizing the Committee on Agriculture to make studies and investigations into matters relating to agriculture; to the Committee on Rules.

Committee.

~~HOUSE - continued~~

59. PLANT QUARANTINE. Passed as reported S. 338, to authorize USDA to limit importation of nursery stock and require that such stock be grown in post-entry quarantine to determine whether it is infested or infected (p. 9748).

60. VIRGIN ISLANDS. Passed without amendment S. 512, to extend the FHA, SCS, and ACP programs to the Virgin Islands (p. 9748). This bill will now be sent to the President.

61. ECONOMIC REPORT. Both Houses received from the President a supplement to the Economic Report (H.Rep. 409) (pp. 9635, 9721).

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COMMITTEE-HEARINGS ANNOUNCEMENTS for July 22: S. Public Lands, agricultural resources (Brannan to testify); S. Appropriations, deficiency appropriation bill(ex.)

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For supplemental information and copies of legislative material referred to, call Ext. 4654 or send to Room 113 Adm. Arrangements may be made to be kept advised, routinely, of developments on any particular bill.

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SUPPORT PRICE FOR MILK

The Clerk called the bill (H. R. 3370) to direct the Secretary of Agriculture to support the price of milk at not less than \$3.10 per hundred pounds.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, this involves a question of policy, and I ask unanimous consent that the bill be passed over without prejudice.

Mr. MURRAY of Wisconsin. Mr. Speaker, reserving the right to object, I think in fairness at least the committee ought to know what the bill provides.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. WOLCOTT. This does not change policy at all.

Mr. KEAN. It puts milk in with all of the other things.

Mr. WOLCOTT. No; it does not. Milk already comes under the terms of the Steagall amendment. Any commodity where the Secretary of Agriculture has asked the farmers to expand their production for war purposes comes under the Steagall amendment, and the support price is 90 percent of that parity. All we ask in this case is that the Secretary of Agriculture set parity on milk so that a support price can be determined. The price of milk at the present time is above what the support price would be anyway. So this is merely for future use, compelling the Secretary of Agriculture to take such action as he is supposed to take under the Steagall amendment, and has never taken. It does not change any policy at all. It merely reaffirms the policy which has been in existence for 3 or 4 years.

Mr. KEAN. How much will this bill increase the cost of milk to the children in my district?

Mr. WOLCOTT. Not a cent.

Mr. KEAN. Who is going to benefit, then?

Mr. WOLCOTT. The farmer is going to benefit from knowing exactly what the support price of milk really is, and the farmer will know whether he should produce milk or not.

Mr. MURRAY of Wisconsin. Mr. Speaker, I am sure there is nothing in this bill that should be objected to. The original bill set \$3.10, because, in April, when I put the bill in the hopper, that was 90 percent of parity for milk. I was not trying to get 100 percent or 150 percent, like some crops have. Since that date the committee, in its wisdom, has changed the bill as introduced by me, and I agreed to the substitute. The chairman, the gentleman from Michigan, the Honorable JESSE WOLCOTT, and the Banking and Currency Committee voted this bill out without a dissenting vote. It does not fix the price in dollars and cents, but it sets up the formula that is in the present law. In April 1947 the support price on milk was not being put into effect according to the law of the land. That is, milk was not bringing the farmer 90 percent of parity guaranteed by law. Milk prices were in a nose dive in April. Since that time conditions in this country have changed so that at the present time 90 percent of parity would

be some \$3.40 to \$3.50. It has nothing to do with the cost of living. I am not trying to get one cent out of anyone except what the law of the United States says. I want it to apply to milk just the same as to the rest of the commodities, and remember that milk is over 20 percent of American agriculture.

Mr. HERTER. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. Yes; I yield to the gentleman from Massachusetts.

Mr. HERTER. Do I understand the amended bill no longer fixes the price at \$3.10, but at 90 percent of parity?

Mr. MURRAY of Wisconsin. The gentleman is right. Three dollars and ten cents was 90 percent of parity the day it was introduced. The formula set up now is only in keeping with the present law.

Mr. HERTER. Then the price that is set here is not according to the Steagall amendment, which was not less than 90 percent of parity?

Mr. MURRAY of Wisconsin. This bill states the support price is "not less than 90 percent of parity" which is the law.

Mr. HERTER. It may be a variable, 90 percent of parity, or anything above that?

Mr. MURRAY of Wisconsin. The gentleman is correct. The law says "not less than 90 percent of parity" but does not fix the floor at 90 percent of parity.

Mr. HERTER. Is that what the gentleman would agree is the proper formula?

Mr. MURRAY of Wisconsin. For general purposes; but the gentleman is not going to be led into a discussion of any other particular crop or farm product.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. JAVITS. How does this change existing laws?

Mr. MURRAY of Wisconsin. It does not change it.

Mr. JAVITS. Then what is the need for it?

Mr. MURRAY of Wisconsin. It is needed to see that the law is properly administered. Anyone who has been a Member of this House many years knows that the Steagall amendment was the greatest piece of agricultural legislation passed by this Congress in 20 years. We heard a lot about agriculture last week. However, under the Steagall amendment the farmer gets cash on the barrelhead the day he gets the check for the product he sells. The law was passed as brought out by the Banking and Currency Committee but it has not been properly followed. One reason we do not have pork today is because the Steagall amendment was not followed in 1943 and 1944. Hog numbers dropped from over 8,000,000 to 56,000,000 the past 4 years. The Steagall amendment was a part of the first OPA Act. Later the LaFollette-Taft amendment to the Commodity Credit Corporation, when the life of this Corporation was extended. This LaFollette-Taft amendment insisted that the law on supporting these prices at not less than 90 percent of parity be fulfilled. During

those days they allowed the packers of this country to buy light hogs for 50 and 60 percent of parity and then sell the products of those hogs as if they were from hogs they had paid 13 cents for. That was the basis on which they paid the packers the subsidy. This does not increase the cost of living 1 cent. It merely requires them to conform to the law.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. COLE of New York. The effect of the bill in brief is to require the Secretary of Agriculture to announce in advance the support price in accordance with law and to require that the support price as announced shall last for a period of 3 months.

Mr. MURRAY of Wisconsin. The gentleman is correct.

Mr. JAVITS. Mr. Speaker, will the gentleman yield further?

Mr. MURRAY of Wisconsin. I gladly yield.

Mr. JAVITS. Can the gentleman assure me that if this bill is passed it will cause no higher support prices than now obtain under existing law? I am very much concerned about people in cities who buy milk in bottles that are suffering now from the high cost of living. I want to know if we pass this bill, categorically, if it will increase the price of milk?

Mr. MURRAY of Wisconsin. My personal opinion is that it will be following the law. It should not increase the cost to the consumer one cent, and it will give the producers the assurance that the Congress of the United States meant what it said when it passed this Steagall amendment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. H. CARL ANDERSEN. It will simply assure to the consumers that there will be sufficient production to assure them food in the future. Without knowing that he is going to get a reasonable support price the farmer may not be interested in producing certain commodities and you will find a shortage. You are apt to have a milk famine in this country.

Mr. MURRAY of Wisconsin. I wish to say to the gentleman from Minnesota that I have appreciated his counsel in connection with this legislation. I know he realized the discrimination to which certain milk producers were being subjected.

Mr. JAVITS. Will it increase the present price for milk?

Mr. MURRAY of Wisconsin. No. Milk prices may go up for other reasons, or they may go down, but this bill will not cause an increase in the price of milk.

Mr. JAVITS. The answer is "No"?

Mr. MURRAY of Wisconsin. The answer is "No, that it should not"; and it will insure a plentiful supply of milk in the cities some day when you otherwise might not be able to get it.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the secretary of Agriculture shall use the funds available to him for carrying out the purposes of section 4 (a) of the act entitled "An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes", approved July 1, 1941, as amended (relating to supporting the prices of nonbasic agricultural commodities), so as to support, until and including December 31, 1948, a price for the producer of milk for manufacturing purposes of not less than \$3.10 per hundred pounds, at the farm, with appropriate, use, location, and seasonal differentials.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof: "That the Secretary of Agriculture is hereby directed to announce the support price for all milk produced in the United States until December 31, 1948. The announced support price shall be for a period of 3 months or 6 months. The announced support price shall be 'at not less than 90 percent of parity' and shall include all milk regardless of its ultimate use. The Secretary of Agriculture is directed to make this announcement within 60 days after the effective date of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to direct the Secretary of Agriculture to support the price of milk at not less than 90 percent of parity."

A motion to reconsider was laid on the table.

EXTENSION OF BANKHEAD-JONES AND SOIL CONSERVATION ACTS TO VIRGIN ISLANDS

The Clerk called the bill (S. 512) to extend provisions of the Bankhead-Jones Farm Tenant Act and the Soil Conservation and Domestic Allotment Act to the Virgin Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

(a) Subsection (b) of section 41 is amended to read: "The Secretary may administer his power and duties under this act through such area finance, State, and local offices in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico and the Virgin Islands as he determines to be necessary: *Provided*, That existing regional offices shall be liquidated on or before June 30, 1947. The Secretary may authorize one office to serve the area composed of two or more States (Territories or Puerto Rico and the Virgin Islands) if he determines that the volume of business in the area is not sufficient to justify separate State offices."

(b) Section 54 is amended to read: "The provisions of this act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico and the Virgin Islands. In the case of Alaska and Puerto Rico and the Virgin Islands, the term 'county' as used in this act shall be deemed synonymous with 'Territory,' or any subdivision thereof as may be designated by the Secretary, and pay-

ments under section 33 of this act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision."

SEC. 2. Subsection (a) of section 17 of the Soil Conservation and Domestic Allotment Act (49 Stat. 1151), is amended to read as follows: "This act shall apply to the United States, the Territories of Alaska and Hawaii, and the possession of Puerto Rico and the Virgin Islands, and, as used in this act, the term 'State' includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

SEC. 3. All acts or parts of acts in conflict herewith are hereby repealed.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING THE PLANT QUARANTINE ACT

The Clerk called the bill (S. 338) to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by adding thereto a new section, as follows:

"SEC. —. In order to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States the Secretary of Agriculture is authorized to limit entry of nursery stock and bulbs from foreign countries to that needed for propagation purposes, under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock and bulbs be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock or bulbs may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock or bulbs are found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

With the following committee amendments:

Page 1, line 4, strike out the words "adding thereto a new section" and insert in lieu thereof the words "substituting a colon for the period at the end of section 1, and by adding thereto a new proviso."

Page 1, line 6, strike out all of lines 6, 7, and 8, and the first five words of line 9, and insert in lieu thereof the words "And *Provided further*, That."

Page 1, line 10, strike out the words "and bulbs."

Page 1, line 11, strike out the words "to that needed for propagation purposes."

Page 2, line 3, strike out the words "and bulbs."

Page 2, line 6, strike out the words "or bulbs."

Page 2, line 8, strike out the words "or bulbs are" and insert in lieu thereof the word "is."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1."

A motion to reconsider was laid on the table.

CONVEYING A PART OF SANTA ROSA ISLAND, FLA., TO ESCAMBIA COUNTY, FLA.

The Clerk called the bill (H. R. 3417) to provide for the conveyance to Escambia County, State of Florida, of a portion of Santa Rosa Island which is under the jurisdiction of the War Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to donate and convey to Escambia County, State of Florida, all the right, title, and interest of the United States in and to that portion of Santa Rosa Island, Fla., lying in township 3 south, ranges 29 west and 30 west, which is under the jurisdiction of the War Department, excepting Old Fort Pickens and that part of Fort Pickens and Santa Rosa Island between Old Fort Pickens and Coast Guard station which shall be designated by the Secretary of War for harbor defense purposes.

SEC. 2. The property acquired pursuant to section 1 shall be retained by the said Escambia County and be used by it for such purposes as it shall deem to be in the public interest or be leased by it from time to time in whole or in part or parts to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

With the following committee amendment:

Delete section 1 and substitute therefor the following new section:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is authorized and directed to donate and convey to Escambia County, State of Florida, all the right, title, and interest of the United States in and to the Fort Pickens Military Reservation, lying in township 3 south, ranges 29 and 30 west, Santa Rosa Island, Fla., determined by the Secretary of War to be surplus to the needs of the War Department, excepting that portion of the reservation known as Old Fort Pickens."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYING PART OF SANTA ROSA ISLAND, FLA., TO OKALOOSA COUNTY, FLA.

The Clerk called the bill (H. R. 3735) to authorize and direct the Secretary of War to donate and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to donate and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., extending 1 mile east from Brooks Bridge on United States Highway 98 near the town of Fort Walton, Fla., and 2 miles west from said bridge, and to that part of Santa Rosa Island which lies east of the new channel at East Pass, said property

[PUBLIC LAW 290—80TH CONGRESS]

[CHAPTER 405—1ST SESSION]

[S. 338]

AN ACT

To amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by substituting a colon for the period at the end of section 1 and by adding thereto a new proviso as follows:

“And provided further, That the Secretary of Agriculture is authorized to limit entry of nursery stock from foreign countries under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursery stock may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursery stock is found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof.”

Approved July 31, 1947.

